

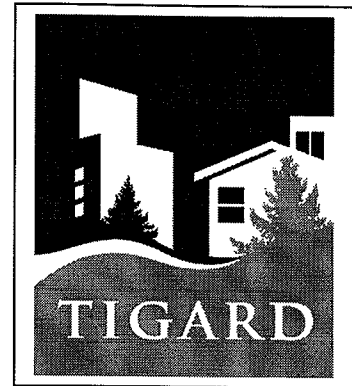


**TIGARD CITY COUNCIL
AND
CITY CENTER
DEVELOPMENT AGENCY
MEETING**

June 13, 2006

6:30 PM

**TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223**



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
JUNE 13, 2006

6:30 PM

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to evaluate employment of a public officer, review labor negotiations, and evaluate the employment-related performance of the chief executive officer of a public body under ORS 192.660(2)(i). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- STUDY SESSION
 - > BRIEFING ON EMERGENCY EXERCISE
Staff Presenter: Public Works
 - > ENTRY SIGNS
Staff Presenter: Administration

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board & City Center Development Agency
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
 - Follow-up on Previous Citizen Communication
 - Follow-up on Fifth Tuesday Meeting
 - Communications from Citizens (Sign-Up Sheet)
3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 3.1 Approve Council Minutes for April 25, May 9, and 16, 2006
 - 3.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
 - c. Fifth Tuesday Meeting Notes from May 30, 2006

- 3.3 Adopt a Resolution Approving Budget Amendment #13 to the FY 2005-06 Budget to Increase Appropriations in the City Attorney Division – Resolution No. 06 – ____
 - 3.4 Adopt a Resolution Forwarding the Urban Renewal Plan to the City Center Development Agency – Resolution No. 06 – ____:
 - 3.5 City Center Development Agency (CCDA):
 - a. Direct Staff to take Action to Record the Urban Renewal Plan
 - 3.6 Local Contract Review Board:
 - a. Award Contract for Construction of Hall Boulevard Sidewalk (at Bonita Road)
 - 3.7 Approve Tigard's Share of the Storm Debris Dewatering Facility
- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.
4. MERIDIAN PARK HOSPITAL PRESENTATION ON COMMUNITY RESOURCES AND OUTREACH
 - Staff Introduction: City Administration
 5. BRIEFING ON EMERGENCY RESPONSE EXERCISE SCHEDULED FOR JUNE 14
 - Staff Presenter: Public Works Department
 6. PUBLIC HEARING – APPROVE THE FISCAL YEAR 2006-07 COMMUNITY INVESTMENT PROGRAM
 - a. Open Public Hearing
 - b. Summation by Engineering Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Council Consideration: A motion to approve the Community Investment Program for fiscal year 2006-2007.
 7. PUBLIC HEARING - CONSIDER A RESOLUTION CERTIFYING THE CITY PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES
 - a. Open Public Hearing
 - b. Summation by Finance Staff
 - c. Public Testimony
 - d. Staff Recommendation
 - e. Council Discussion
 - f. Close Public Hearing
 - g. Council Consideration: Resolution No. 06- ____

8. PUBLIC HEARING - CONSIDER A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

- a. Open Public Hearing
- b. Summation by Finance Staff
- c. Public Testimony
- d. Staff Recommendation
- e. Council Discussion
- f. Close Public Hearing
- g. Council Consideration: Resolution No. 06 - _____

9. PUBLIC HEARING - CONSIDER A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2006-2007

- a. Open Public Hearing
- b. Summation by Finance Staff
- c. Public Testimony
- d. Staff Recommendation
- e. Council Discussion
- f. Close Public Hearing
- g. Council Consideration: Resolution No. 06 - _____

10. CONSIDER A RESOLUTION ADOPTING THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE, REPLACING RESOLUTION NO. 05-42 AND ALL SUBSEQUENT AMENDMENTS

- a. Staff Report: Finance Staff
- b. Council Discussion
- c. Council Consideration: Resolution No. 06 - _____

11. APPROVE CONSTRUCTION EXCISE TAX INTERGOVERNMENTAL AGREEMENT TO COLLECT AND REMIT TAX BETWEEN METRO AND THE CITY OF TIGARD

- a. Staff Report: Finance Staff
- b. Council Discussion

12. PUBLIC HEARING (QUASI-JUDICIAL) TO CONSIDER PELISSIER PROPERTY ANNEXATION (ZCA2006-10001)

REQUEST: The applicant is requesting annexation of one (1) parcel containing 1.81 acres into the City of Tigard. **LOCATION:** 13273 SW Bull Mountain Road; Washington County Tax Assessor's Map No. 2S109AB, Tax Lot 00300. The subject site is located north of SW Bull Mountain Road and east of SW 133rd Avenue. **ZONE:** R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. **APPLICABLE REVIEW CRITERIA:** The approval standards for annexations are set out in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- a. Open Public Hearing – Mayor
- b. Statement by City Attorney Regarding Procedure
- c. Declarations or Challenges
 - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
 - Have all members familiarized themselves with the application?
 - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- d. Staff Report: Community Development Staff
- e. Public Testimony
 - Proponents
 - Applicant(s)
 - Opponents
 - Rebuttal/Final argument by applicant
- f. Staff Recommendation
- g. Close Public Hearing
- h. Council Discussion and Consideration: Ordinance No. 06-_____

13. COUNCIL LIAISON REPORTS

14. NON AGENDA ITEMS

15. ADJOURNMENT

Agenda Item No. 3.1
For Agenda of 6.13.06



Tigard City Council Meeting Minutes

Date: April 25, 2006
Time: 6:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Council President Nick Wilson Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff
Absent: Mayor Craig Dirksen

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	<p>> Discuss whether the City of Tigard should approach Washington County to split CPO 4B into two CPO's.</p> <p>Council briefly discussed whether to pursue the idea of asking Washington County officials to create a CPO splitting the City of Tigard area away from the unincorporated area within CPO 4B. Discussion points included the following:</p> <ul style="list-style-type: none">◆ Concern that pursuit of such a split would create more divisiveness between residents of the two areas with a preference expressed to find common interests.◆ The CPO's purpose is advisory to the County on land use and public issues.◆ There was a suggestion discuss whether the current system is working well among the managers of County jurisdictions. One idea would be to automatically withdraw territory from the CPO when annexed.	Tigard staff members will discuss the CPO system with County and local jurisdiction management staff members.
Study Session	<p>> Discuss political signs placed in the right of way.</p> <p>City Manager Prosser noted that in the past the City has not actively pursued prohibited placement of signs in the right of way and requested City Council direction with regard to priority for this issue when considering staff resources.</p>	City Council directed staff to remove signs that were a safety concern; i.e., obstructing sight distance.

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	<p>> Bull Mountain/Metro Meeting is scheduled for Thursday, May 4, 5-6:30 p.m. Location is to be determined.</p> <p>One concern is with the decision on the boundaries to be included in the proposed city. There may be an adverse impact on the City of Tigard if the island areas are included.</p>	After brief discussion, City Council consensus was to send representatives to this meeting as the City of Tigard is a stakeholder and should participate during the fact-finding process. Councilor Woodruff and Councilor Harding indicated they could attend.
	<p>> The legislative committee regarding annexation procedures will be held on April 26, 6:30 p.m., at C.F. Tigard Elementary.</p>	Councilor Harding said she would attend this meeting.
Executive Session	<p>The Tigard City Council went into Executive Session at 6:46 p.m. discuss pending litigation under ORS 192.660(2)(h).</p> <p>Executive Session concluded at 7:05 p.m.</p>	
Study Session continued Amend Management Group Personnel Rules	Human Resources Director Zodrow reviewed some of the changes proposed by the Executive Staff. The major changes are noted in the Agenda Item Summary submitted in the City Council meeting packet for Consent Agenda Item No. 4.4. There was brief discussion and clarification of wording. General consensus of the City Council members present was that the proposed changes were acceptable.	See Consent Agenda Item 4.4, which was approved by the City Council.
New Logo Use – Police Patch and Stationery	City Council members reviewed proposed designs for Police Department patches and stationery incorporating the new logo and selected the preferred designs for staff to use.	Police and Administration Staff will order police patches and stationery with the new logo design.
Civic Center Audio/Visual Upgrade Update	Information Technology (IT) Division Director Ehrenfeld reported that an upgrade to the Civic Center audio/visual control system had been planned for this fiscal year. A memorandum detailing the upgrade is on file in the City Recorder's office. The next step is to issue a Request for Proposals and hire a consultant to develop a full design. The work will be done next fiscal year; therefore, the appropriation was included in the FY 2006-07 budget.	IT staff will pursue a Metropolitan Area Communications Commission grant for desk screens for the City Council.

Agenda Item	Discussion & Comments	Action Items (follow up)
	Study Session concluded at 7:20 p.m.	
Business Meeting	<p>1.1 Council President Wilson called the City Council and the Local Contract Review Board to Order at 7:27 p.m.</p> <p>1.2 Council Present: Council President Wilson; Councilors Harding, Sherwood, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports</p> <p>Councilor Harding reminded the viewing audience of an upcoming tire recycling event on Saturday, April 29, 9 a.m. – 2 pm. at the Washington County Fairgrounds.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items: None</p>	
2. Proclamation – Be Kind to Animals Week	Council President Wilson read the proclamation declaring the Week of May 1-7, 2006, as Be Kind to Animals Week.	
3. Citizen Communications	<p>♦ Gretchen Buehner, 13249 SW 136th Place, Tigard, Oregon 97223, advised she had questions regarding the cost-of-services report issued by the Washington County Auditor. In particular, she had concerns about how the information was evaluated regarding police services and said she thought the County provided inaccurate information. She suggested City of Tigard analyze the number of police calls the City makes to the unincorporated area. At the last Committee for Citizen Involvement meeting, they learned that each member City contributes to the county-wide Special Crimes Task Force. Ms. Buehner advised that she thinks it is important for Tigard citizens, as taxpayers, are aware of this matter.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<ul style="list-style-type: none"> ♦ Roger Potthoff, 11710 SW Ann Street, Tigard, Oregon, requested the City look into providing pedestrian safety improvements for the Fanno Creek Trail where bicycles are sharing the pathway with pedestrians. He suggested the City post signs and implement a public information campaign to raise awareness. 	
Follow Up to April 11 Citizen Communications	<p>City Manager Prosser reported the following follow-up action to the citizen communications received on April 11:</p> <ul style="list-style-type: none"> ♦ The Junk in the Trunk event sponsored by Tigard High School Students was posted on the City's website. ♦ The City Council is scheduled to give a report on their National League of Cities Congress of Cities Conference on May 9. ♦ The County Engineer advised that they have been watching the utility work being done on Walnut Street in the new construction. The County Engineer reported that the work area is being properly compacted and the top lift of the street will not be affected. 	
4. Consent Agenda	<p>The Council considered Item No. 4.7 separately. A correction to the March 21, 2006, City Council minutes was noted that on Page 11, the word "Capital" should be changed to "Community" and should read as follows:</p> <p style="padding-left: 40px;"><i>Councilor Harding suggested that CIP be referred to as "Community Investment Program."</i></p> <p>The March 28, 2006, minutes will be considered for approval by the City Council on May 9, 2006.</p> <p>4.1 Approve Council Minutes for March 21 (as amended)</p> <p>4.2 Receive and File the Annual Solid Waste Financial Report Findings</p> <p>4.3 Approve Budget Amendment #11 to the FY</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to approve the consent agenda with the correction as noted for the March 21, 2006, City Council minutes, the March 28, 2006, minutes removed from this agenda for consideration at a future City Council meeting, and Item 4.7 removed for separate consideration.</p> <p>The motion was approved by a unanimous vote of Council present.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>2005-06 Budget to Increase Appropriations in the Social Services/Community Events budget in the General Fund to fund a portion of the Tualatin National Wildlife Refuge Grand Opening Ceremony Resolution No. 06- 20</p> <p><i>Resolution No. 06-20 – A resolution approving budget amendment #11 to the FY 2005-06 Budget to increase appropriations in the Social Services/Community Events Budget in the General Fund to fund a portion of the Tualatin River National Wildlife Refuge Grand Opening Ceremony</i></p> <p>4.4 Adopt Amendments to Management/ Supervisory/Confidential Group Personnel Policies – Resolution No. 06-21</p> <p><i>Resolution No. 06-21 – A resolution adopting amendments to the Management/ Supervisory/ Confidential Personnel Policies</i></p> <p>4.5 Appoint Mitchell Brown to the Planning Commission; Appoint Patrick Harbison as First Alternate and Jeremy Vermilyea as Second Alternate to the Planning Commission – Resolution No. 06-22</p> <p><i>Resolution No. 06-22 – A resolution appointing Mitchell Brown the Planning Commission and appointing Patrick Harbison as first alternate and Jeremy Vermilyea as second alternate to the Planning Commission</i></p> <p>4.6 Appoint Tony Tycer and Scott Deselle as Citizen Members and Betty Hagen and Dennis Sizemore as Citizen Member Alternates to the Tree Board – Resolution No. 06-23</p> <p><i>Resolution No. 06-23 – A resolution of Tigard City Council appointing Tony Tycer and Scott Deselle as citizen members, and Dennis Sizemore and Betty Hagen as citizen member alternates to the Tree Board</i></p> <p>4.7 Item 4.7 Considered separately (see below)</p>	<p>Councilor Harding Yes Councilor Sherwood Yes Council President Wilson Yes Councilor Woodruff Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)								
	<p>4.8 Local Contract Review Board</p> <ul style="list-style-type: none">a. Award Contract to Dunn Construction for the Construction of the SW 93rd Avenue Sanitary Sewer (Sewer Reimbursement District No. 36)b. Award Contracts to Century West Engineering Corporation, Group McKenzie, and W & H Pacific for Civil Engineering Services on an as-Required Basis <p>Council considered Item 4.7 separately:</p> <p>4.7 Approve Intergovernmental Agreement with Washington County Cooperative Library Services for WILI (Washington County Interlibrary Information Network) Internet Filter</p> <p>Library Technical Services Specialist Birkner and City Manager Prosser discussed the WILI IGA regarding the Internet Filter. The computers in the children's section of the library are defaulted to a child-filtered setting when accessing the Internet. During discussion, it was determined that clarification was needed with regard to the default setting that could be set for the computers in the adult section of the library.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to accept the Intergovernmental Agreement; staff will return at a later date with information regarding how the Internet filtering system operates.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Council President Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Councilor Harding	Yes	Councilor Sherwood	Yes	Council President Wilson	Yes	Councilor Woodruff	Yes
Councilor Harding	Yes									
Councilor Sherwood	Yes									
Council President Wilson	Yes									
Councilor Woodruff	Yes									
5. Presentation of Lifesaving Awards To Three Citizens Responsible for Saving the Life of an Automobile Crash Victim Whose Car Was on Fire	<p>Presenters: Tigard Police Chief Dickinson and Tualatin Valley Fire & Rescue Assistant Fire Chief LeSage</p> <p>Life-saving awards were presented by Council President Wilson to Tigard resident Kevin McAninch and two Metro West Ambulance attendants Jeremi Ruda and Robert Berdan. On March 12, 2006, these three men worked as a team to rescue Judith Folgate from her vehicle, which had burst into flames after a speeding driver slammed into the back of her car. The crash tragically claimed the life of Judith's friend who was</p>									

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>a passenger in the car. Judith's life was saved because of the swift action of these three citizens.</p>	
<p>6. Annual Volunteer Program Highlights Presentation</p>	<p>Presenters: Library Volunteer Coordinator Stormont, Public Works Water Quality/Volunteer Coordinator Staedter and Volunteer Program Development Specialist Roth.</p> <p>The presentation was introduced by a city volunteer, Patti Anda-Jimenez who spoke to the City Council in Spanish, representing one of the volunteer services at the City of Tigard for the Spanish-speaking population. Presenting written and web-site information in Spanish expands public awareness.</p> <p>The PowerPoint presentation outlining the highlights of the 2006 City of Tigard Volunteer Program Highlights is on file in the City Recorder's Office. Current City of Tigard Volunteers provide an array of services at City facilities, field locations, and from their homes. Individual volunteers and community partnerships leverage staff and financial resources to achieve significant outcomes such as enhancing public safety through reserve program officer patrols, facilitating library operations, and improving water quality through restoration projects. Volunteering also serves to increase interactions between residents and expand cooperation between generations.</p> <p>In 2005, 970 volunteers contributed 21,621 hours of their time towards Tigard projects, services and events. The 21,621 hours of volunteer time equals ten full-time staff positions. At the current rate of \$18.04 per hour, the 2005 volunteer hours are valued at \$390,043.</p> <p>In response to a question from Councilor Woodruff, Volunteer Program Development Specialist Roth advised that he would get the Council some information regarding how volunteer contributions to the City of Tigard compare with those in other cities.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Sherwood referred to previous City Councilor Brian Moore, who established the goal of covering the volunteer services coordinator salary with savings achieved by volunteer contributions. She advised that, from the statistics shared tonight with the Council, this program has great value beyond its monetary worth.</p>	
<p>7. Consider Purchase Agreement for Real Property Acquisition for 500-foot Zone Reservoir No. 2 Site</p>	<p>Staff Presenter: Assistant Public Works Director Rager.</p> <p>Council is considering the proposed purchase agreement between the City and the Price family. The site offers not only a location for a buried water reservoir but also space to construct a small pocket park. Because the reservoir will be underground, as per the property owner's wishes, the City will actually be able to locate a pocket park complete with playground equipment above the buried reservoir.</p> <p>The property was appraised at \$1.2 million and both the Price family and the City agree this is a fair price for the land. The Council had before it the final Purchase Agreement with conditions of sale that were negotiated between the City and the family.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood to approve the purchase agreement and authorize the City Manager to execute the document.</p> <p>The motion was approved by unanimous vote of Council present.</p> <p>Councilor Harding Yes Councilor Sherwood Yes Council President Wilson Yes Councilor Woodruff Yes</p>
<p>8. Public Hearing (Quasi-Judicial) to Consider Annexation of Wilson Ridge No. 2 (ZCA2005-00005)</p>	<p>City Attorney Ramis reviewed the procedures for quasi-judicial land use hearings. A copy of the written format followed by the City Attorney is on file in the City Recorder's Office.</p> <p>Council President Wilson opened the Public Hearing.</p> <p>Declarations and challenges were reviewed: Members of Council were asked if they wished to report any ex parte contact or information gained outside the hearing, including site visits. Councilor Harding indicated she visited the site and had also read a newspaper article about this issue. Councilor Sherwood indicated that she also read the newspaper article.</p>	<p>Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance 06-04.</p> <p>The motion was approved by unanimous vote of Council present.</p> <p>Councilor Harding Yes Councilor Sherwood Yes Council President Wilson Yes Councilor Woodruff Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Council members were asked if they were familiar with the application. All Council members indicated that they were.</p> <p>The audience was asked if they had any challenges pertaining to the Council's jurisdiction to hear this matter or if there was a challenge to the participation of any member of the Council. There were no challenges.</p> <p>Senior Planner St. Amand reviewed the staff report for this annexation proposal. She referred to a map of the area and advised that there had been no objections received with regard to the proposed annexation. A copy of the staff report is on file in the City Recorder's Office.</p> <p>Public Testimony:</p> <ul style="list-style-type: none"> ●Michael Robinson, 1120 NW Couch, 10th Floor, Portland, OR 97208, advised he was representing the applicant. He advised that Jim Delmore was also present for the applicant and that they were in agreement with the staff report. <p>Councilor Woodruff asked Mr. Robinson and the developer who was present if they felt that they were voluntarily requesting annexation into the City of Tigard. Mr. Robinson responded to Councilor Woodruff that yes, the request for annexation was voluntary and that the property owners and electors within the annexation area were voluntarily part of the annexation as far as is known.</p> <p>Council President Wilson closed the Public Hearing.</p> <p>Staff recommendation: Staff recommended that the City Council approve the proposed annexation as it meets all the approval criteria.</p> <p>Council Discussion: Councilor Harding and Councilor Woodruff indicated that they were surprised that there was no one present to offer testimony with regard to this proposed annexation.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p><i>Ordinance No. 06-04 – An ordinance annexing 3.525 acres, approving Wilson Ridge No. 2 Annexation (ZCA2005-00005), and withdrawing property from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District</i></p>	
<p>9. Quarterly Update on Current Status of the Emergency Management Program in Tigard</p>	<p>Presenter: Public Works Program Assistant and the City's Emergency Management Coordinator Lueck.</p> <p>Mr. Lueck updated the Council on four elements of the City's emergency program, which included the planning, CERT (Community Emergency Response Team), 72-hour Preparedness, and OCEM (Office of Consolidated Emergency Management). A copy of Mr. Lueck's Staff Report and presentation materials are on file in the City Recorder's Office.</p> <p>Councilor Sherwood noted that she recently attended a CERT class. She advised that she thought she had some knowledge of how to be prepared for emergencies but was surprised at how much information she learned. She said it would behoove people to attend a CERT class.</p>	
<p>10. First Quarter Goal Update</p>	<p>Staff Presenter: City Manager Prosser</p> <p>City Manager Prosser reviewed the summaries of progress made on the goals developed by Council in January, 2006. A copy of the written progress report, which contains the highlights of Mr. Prosser's presentation is on file in the City Recorder's Office.</p> <p>Councilor Woodruff noted that there was a lot of information about the progress on Council goals and this is available on the City's website. City Manager Prosser noted that the staff will also make an effort to display the updated information more prominently on the website.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>11.Public Hearing (Informational) to Consider a Resolution to Finalize Sanitary Sewer Reimbursement District No. 33 (SW Walnut St.)</p>	<p>Council President Wilson opened the Public Hearing.</p> <p>City Engineer Duenas presented the staff report, which is on file in the City Recorder's Office. Highlights of the presentation were contained in a PowerPoint slide presentation and this is on file in the City Recorder's Office.</p> <p>There was no public testimony.</p> <p>Council President Wilson closed the Public Hearing.</p> <p>Staff recommended that the City Council adopt the resolution to make the sewer service available to residents within District No. 33.</p> <p>Council discussion followed regarding some of the circumstances for this reimbursement district including some contribution by the County to pay costs for hooking up to the sewer for one of the properties.</p> <p>Council President Wilson asked about the status of the sewer reimbursement program. The City is in the fourth year of the five-year program. It is now going at a slower pace due to workload in the engineering department and the fact that the more difficult properties remain to be reviewed for participation in the program. The City Engineer advised that he would bring back a revised schedule with the remaining properties in the City of Tigard to be considered for the sewer reimbursement program.</p> <p><i>Resolution No. 06-24 – A resolution finalizing Sanitary Sewer Reimbursement District No. 33 (SW Walnut Street) and amending the preliminary City Engineer's report contained in Resolution No. 04-91.</i></p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff to adopt Resolution No. 06-24.</p> <p>The motion was approved by unanimous vote of the Council present.</p> <p>Councilor Harding Yes Councilor Sherwood Yes Council President Wilson Yes Councilor Woodruff Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
12. Adjournment	The meeting was adjourned at 9:09 p.m.	<p>Motion by Councilor Woodruff, seconded by Councilor Harding, to adjourn the meeting.</p> <p>The motion was approved by unanimous vote of the Council present.</p> <p>Councilor Harding Yes Councilor Sherwood Yes Council President Wilson Yes Councilor Woodruff Yes</p>

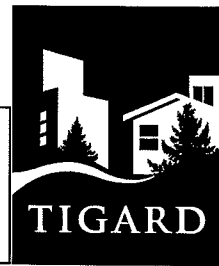
Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date:_____

Agenda Item No. 3.1
For Agenda of 6-13-06



Tigard City Council Meeting Minutes

Date: May 9, 2006
Time: 6:31 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon

Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson

Absent: Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	<p>Mayor Dirksen called the meeting to order at 6:31 p.m.</p> <p>The City Manager performance review was rescheduled to the study session of June 13, 2006 in Executive Session.</p> <p>Review and discuss entry sign: Assistant to the City Manager Newton reviewed the concept drawings with the Council. Council noted preference for wood or stone materials. Council members discussed ideas including the following:</p> <ul style="list-style-type: none">> Suggestion for plantings around sign - trees could appear at the back of the sign and small shrubs at the front.> The sign scale should be in proportion to the site.> Staff will prepare another rendition of the drawings for Council review.> The Council noted a preference for traditional elements in the sign with some modern touches; should not be construed as "old-fashioned."> Both sides of the sign should be readable with contrast in the letters and background.> The Mayor noted his preference for river stone.> There was some discussion that the signage did not necessarily have to be the same as what is placed in the downtown.> Councilor Wilson noted there was a need to set	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>the tone.</p> <p>Council reviewed a map of potential gateway locations and for a location near a freeway entrance. There was discussion about placing a smaller version of the entrance signs for parks. The Mayor suggested some type of archway over a pedestrian path.</p> <p>Council members reviewed letterhead examples presented by Assistant to the City Manager Newton. Council members selected the preferred illustration. Assistant to the City Manager Newton will proceed with the Council's preferred option.</p>	
	<p>Staff Report on House Interim Committee on Land Use meeting. Staff presenter: Interim Community Development Director Coffee.</p> <p>The Committee met on April 26, 2006. Mr. Coffee advised that Lisa Hamilton-Treick and a representative from the League of Oregon Cities gave a report. The League of Oregon Cities' PowerPoint presentation is included in the meeting materials on file in the City Recorder's Office. Representatives Krummel and Galizio were present at the April 26 meeting. The Committee took testimony from about 10-12 people speaking about annexation. Gretchen Buehner from the city of Tigard also submitted a letter to the group for their review. The Committee will be working in the next six months to draft annexation legislation recommendations.</p> <p>There was discussion about a recent meeting hosted by Metro with regard to the potential incorporation of a city on Bull Mountain. City Manager Prosser reported that he attended the meeting and when he suggested that the City would be reviewing the impact on Tigard, representatives from the Bull Mountain group indicated that they did not believe that inefficient services would be a valid concern. Essentially, they stated that they thought the only thing that should be of consideration is what the voters want.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>There was further discussion about Metro requirements with regard to quality of life and land use issues. Councilor Harding noted that the Tualatin Basin Natural Resources Coordinating Group wants to support down-zoning. Staff will monitor the legislative activity on this matter.</p> <p>The Mayor questioned whether there would be a need to mount an aggressive defense with regard to curtailing the city's abilities to annex. He suggested a letter be drafted to cities to determine the level of support regarding Tigard's concerns about this issue. Councilor Harding suggested the approach should be to determine whether other cities are concerned about annexation issues. Councilor Wilson questioned how much energy should be expended on this matter and noted that it might be worthwhile extricating the City of Tigard from extra-territorial responsibilities, including water. Councilor Sherwood noted her agreement with Councilor Wilson's proposal. Councilor Harding urged that the Council keep an open mind to determine what is driving the problems. She expressed her desire to improve the quality of life. She noted that the issue of annexation among the unincorporated area does not appear to be monetary. Councilor Sherwood said that it appears that the County is willing to again provide urban services. Mayor Dirksen suggested that the City of Tigard look into finalizing their boundaries. Councilor Wilson said he was not suggesting that the City be silent on the matter, but rather, be focused on things that will move us forward. He did not disagree that a letter could be sent to other cities to determine their level of concern and support for this matter. Council consensus was that a letter be written to other cities on the approach to the annexation issue and potential legislation.</p>	
	<p>It was noted that next week's meeting, May 16, will start at 6 p.m. with an Executive Session.</p> <p>City Manager Prosser noted there appears to be some overlap with regard to the Citizen Leadership Program that is going to be sponsored by the</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Chamber of Commerce and had been presented by the City of Tigard last year. The City has contributed \$5,000 to the Chamber's Leadership Program and it appears they will be asking the City staff to present information to participants. Council consensus was to coordinate with the Chamber in their leadership seminar as a pilot program for this next year to help it succeed.</p> <p>Council was reminded that the 5th Tuesday Meeting is scheduled for May 30, from 7-9 p.m. in the Tigard Water Auditorium. Consensus of the Council was that a staff person should be present to take notes and that Stacie Yost be there to facilitate the meeting.</p> <p>The Tigard City Council went into Executive Session at 7:18 p.m. to discuss exempt public records under ORS 192.660(2)(f).</p> <p>The Council was out of Executive Session at 7:32 p.m.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to Order at 7:38 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, and Wilson.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports:</p> <p>Councilor Harding updated City Council on the activity of the Tualatin Basin Natural Resources (TBNRC) regarding Title 13 and the Committees support for habitat friendly, low-impact provisions in Comprehensive Plans for development with the Basin.</p> <p>Councilor Harding updated City Council on activity of the Washington County Coordinating Committee. She reported that there are new restrictions on dollars available for pedestrian and bicycle paths. She also advised that the STIP project list has been narrowed.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)								
	1.5 Call to Council and Staff for Non-Agenda Items: None									
2. Proclaim Emergency Medical Services Week	The Mayor proclaimed that Emergency Medical Services Week was May 14-20, 2006. Representatives from Metro West, Justin Gold and Tarr Karasotias, presented the Council with a plaque and invited them to a barbecue on May 18 at the Metro West Offices in Hillsboro.									
3. Citizen Communication	<p>3.1 Citizen Communication: There was none.</p> <p>3.2 Tigard High School envoy Krista Foltz gave a report on the activities at Tigard High School. A copy of the highlights of her presentation is on file in the City Recorder's Office.</p> <p>Mayor Dirksen noted that this would be the last meeting for Krista Foltz to present her report on the Tigard High School student activities to the Council. The Council had before it a Resolution for consideration to acknowledge the work done by Ms. Foltz this past year in her role as the student envoy.</p> <p><i>RESOLUTION NO 06-25 – A RESOLUTION ACKNOWLEDGING AND COMMENDING KRISTA FOLTZ FOR HER EFFORTS AS THE TIGARD HIGH SCHOOL STUDENT ENVOY TO THE CITY OF TIGARD.</i></p>	<p>Motion by Mayor Dirksen, seconded by Councilor Wilson, to adopt Resolution No. 06-25.</p> <p>The motion was adopted by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
Mayor Dirksen	Yes									
Councilor Harding	Yes									
Councilor Sherwood	Yes									
Councilor Wilson	Yes									
4. Consent Agenda	<p>4.1 Approve Council Minutes for March 28, April 4, 11, and 18, 2006</p> <p>4.2 Receive and File:</p> <ul style="list-style-type: none">a. Council Calendarb. Tentative Agenda <p>4.3 Approve Budget Amendment No. 12 to the FY 2005-06 Budget to Increase Appropriations in the Mayor and Council Budget for Funding of Expenditures for Family Week and Additional Travel and Training – Resolution No. 06-26</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve the consent agenda as presented.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
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Councilor Sherwood	Yes									
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Agenda Item	Discussion & Comments	Action Items (follow up)
	<p><i>RESOLUTION NO 06-26 – A RESOLUTION APPROVING BUDGET AMENDMENT #12 TO THE FY 2005-06 BUDGET TO INCREASE APPROPRIATIONS IN THE MAYOR AND COUNCIL BUDGET FOR FUNDING OF EXPENDITURES FOR FAMILY WEEK AND ADDITIONAL TRAVEL AND TRAINING.</i></p> <p>4.4 Appoint Patrick Harbison to the Planning Commission to Fill the Unexpired Term of Former Commissioner William Haack – Resolution No. 06-27</p> <p><i>RESOLUTION NO 06-27 – A RESOLUTION APPOINTING PATRICK HARBISON TO THE PLANNING COMMISSION TO FILL THE UNEXPIRED TERM OF FORMER COMMISSIONER WILLIAM HAACK.</i></p>	
5. Youth Advisory Council Update	<p>Staff Presenter: Assistant to the City Manager Newton</p> <p>Youth Advisory Council Members Present: Alexander Carsh and Sidney Tan.</p> <p>Mr. Carsh and Ms. Tan reported to the Council on activities of the Youth Advisory Council. The Council sponsored a Youth Summit, "Get a Voice, Be Heard," which was held on March 16 at Twality Middle School. Speakers presented information on subjects such as leadership, drug abuse, time and stress management, personal achievement, selecting/preparing for college, signs of depression, peer court, nutrition and wellness. Plans are underway for a 2007 Youth Summit.</p> <p>The Youth Advisory Council is also working on a promotional video and a cable show. The Youth Advisory Council has a website: www.twac.info that is regularly updated. The Council is going to sponsor a movie night as part of Family Week.</p> <p>Mayor Dirksen commented that the Youth Summit was well organized and he urged youth to attend as there was room for more participants. Councilor Sherwood added that she has worked with the youth</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	from the Council at the homeless shelter and appreciated their contributions.	
<p>6. Public Hearing – (Quasi-Judicial) Comprehensive Plan Amendment (CPA2004-0001/Sensitive Lands Review (SLR) 2004-00003 & 2006-00001/Tree Removal (TRE) 2006-00001-2006-00009-SW Wall Street Extension</p>	<p>Public Hearing – (Quasi-Judicial) Comprehensive Plan Amendment (CPA2004-00001/Sensitive Lands Review (SLR) 2004-00003 & 2006-00001/Tree Removal (TRE) 2006-00001-2006-00009-SW Wall Street Extension</p> <p>City Attorney Firestone reviewed the quasi-judicial procedures for the hearing. A copy of the written format followed by Attorney Firestone is on file in the City Recorder's Office.</p> <p>Mayor Dirksen opened the Public Hearing.</p> <p>Declarations or Challenges: In response to the question as to whether any members of the Council wished to report ex parte contact or information gathered outside the hearing, including site visits, there was a comment that Council members should impart any information that they noticed in their visits to the Library. All Council members were familiar with the application.</p> <p>There were no challenges from the audience pertaining to the Council's jurisdiction to hear the matter, nor was there a challenge on the participation of any Council member.</p> <p>Associate Planner Igarta presented the staff report and the PowerPoint presentation reviewed by him is on file in the City Recorder's Office.</p> <p>The following maps were on display and referred to by staff and participants in the hearing:</p> <p>Exhibit 1 – Wall Street Comp Plan Amendment Exhibit 2 - A map marked with the letter "A" Exhibit 3 – A map marked with the letter "B" A map marked with the letter "C" - Wall Street: Extension Street and Utilities Improvement A map marked with the letter "D" - Wall Street Extension Street and Utilities Improvements</p>	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Ordinance No. 06-05, as amended. (Amendment was to Sections 4 and 5; see description below on Pages 10 and 11 of May 9, 2006, City Council meeting minutes.)</p> <p>After the number and title of the ordinance was read by the City Recorder, Mayor Dirksen commented on that part of the title mentioning the removal of protection to wetlands. He noted that the final outcome to this will be the enhancement of the wetlands and an increase in acreage to wetlands in the area.</p> <p>The motion was approved by a majority vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding No Councilor Sherwood Yes Councilor Wilson Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>construct the Tigard Public Library.</p> <ul style="list-style-type: none"> ◆ To meet Oregon Department of Transportation (ODOT) access management and Tigard Development Code minimum access spacing requirements, it was agreed to provide joint access to both sites. ODOT authorized temporary access onto Hall Boulevard. ◆ Required permits were reviewed including a Sensitive Lands Permit, Tree Removal Permit as well as Tree Mitigation requirements. ◆ A Comprehensive Plan Amendment was required for the proposed impacts to significant wetlands identified on the City of Tigard's wetland and stream corridor map under the requirements of statewide Planning Goal 5. ◆ The applicant also submitted permits from Clean Water Services for encroachment into the designated vegetative corridor; the Department of State Lands, and the US Army Corps of Engineers for proposed removal and fill of materials from wetland areas. ◆ The review criteria to be considered includes any applicable provisions of the City's implementing ordinances; any applicable Comprehensive Plan Policies; any applicable Metro regulations; any applicable Statewide Planning Goals and Guidelines; and any applicable Federal and State regulations. ◆ All criteria are listed in the staff report. ◆ Key findings included: <ul style="list-style-type: none"> ○ The applicant has made a number of adjustments to minimize intrusion into the sensitive lands areas, including selecting an alignment based on an alternative analysis of nine options to minimize impacts and to allow for mitigation opportunities. ○ In fall 2005, a redesign for alignment was performed to mitigate for sensitive lands. As a result, the length of the roadway was reduced from 425 feet to 360 feet to avoid the 100-year floodplain. Wetland impacts were reduced .25 acre to .11 acre. Riparian corridor impacts were reduced from .56 acre to .42 acre. ○ Mitigation opportunities were outlined for wetland creation, enhancement, and 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>restoration. Newly created and restored wetland and riparian resources will be added to the inventory of locally significant sites. The existing Pinebrook Creek channel will be replaced with a reconstructed channel that will follow a historic stream alignment that will eliminate negative impacts from downstream hydrology and water quality from past modifications to the stream from its natural state. Reconfiguration and installation of new culvert will allow for passage in Pinebrook Creek. Tree mitigation will total 336 caliper inches, which is 369 percent greater than the 91 caliper inches required for mitigation.</p> <ul style="list-style-type: none"> ◆ Staff finds that the proposed Wall Street Extension meets applicable review criteria and sufficient evidence has been presented to justify proposed impacts to sensitive lands, tree removal, and to the requested Comprehensive Plan Amendment. ◆ Staff recommends that the City Council approve the proposed Wall Street Extension subject to the conditions stated in the Staff Report. ◆ An ordinance was prepared for the City Council's consideration. A revised draft ordinance was distributed to add two paragraphs. The following paragraphs were added (Sections 4 and 5): <ul style="list-style-type: none"> ○ <i>Section 4 – The Tigard City Council adopts the City of Tigard's staff report dated April 3, 2006, and the addendum to the staff report dated April 25, 2006, and the letter prepared by Group MacKenzie dated April 17, 2006, in response to submitted public comments as findings in support of this decision. Copies are attached hereto as Exhibit B, Exhibit C, and Exhibit D, respectively and are incorporated herein by reference.</i> <p>(All of the Exhibits referred to in Section 4 were included in the City Council meeting packet and no changes were made to those documents.)</p> ○ <i>Section 5 – The Tigard City Council adopts the Conditions of Approval as stated on Page 2 of the</i> 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>A copy of the staff report and information submitted to the City Council members for their review is on file in the City Recorder's Office. This information includes the following:</p> <p>Attachment 1: Ordinance Approving Sensitive Lands Review SLR2004-00003 and SLR2006-00001, Tree Removal TRE2006-00001 through 2006-00009, Comprehensive Plan Amendment CPA2004-0001 to remove Goal 5 Protection from the Resources to be Impacted by Construction of the SW Wall Street Extension and to add Newly Created and Restored Wetland and Riparian Resources to the Inventory of Locally Significant Sites.</p> <p>Attachment 2: Staff Report</p> <p>Attachment 3: Addendum to the Staff Report</p> <p>Attachment 4: Letters of Public Comments</p> <p>Attachment 5: Responses to Public Comments</p> <p>Attachment 6: Planning Commission Hearing Minutes</p> <p>Associate Planner Igarta presented the staff report for the proposed extension of SW Wall Street. Key points were:</p> <ul style="list-style-type: none"> ◆ City Engineer Department requested concurrent review of the Comprehensive Plan Amendment, Sensitive Lands Review, and Tree Permits, to construct Phase One of this project. ◆ On April 30, the Planning Commission held a public hearing considering this proposal and voted unanimously to recommend approval to the City Council. ◆ The City Council will make the final decision on whether to approve the proposal. ◆ Project location was described. ◆ The proposed roadway length is 360 feet, with a 72-foot right-of-way width. ◆ The primary purpose of the project is to provide joint access for the Library and the Fanno Pointe Condominiums and then removing two interim driveways now being used for both of these sites. ◆ In January 2003 a private developer received approval to construct the Fanno Pointe Condominiums. ◆ In April 2003 the City received approval to 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p><i>City of Tigard Staff Report dated April 3, 2006. A copy is attached hereto as Exhibit B and incorporated herein by reference.</i></p> <p>Public Testimony:</p> <p>Mayor Dirksen reviewed the order in which testimony would be taken: applicant, proponents, opponents, and rebuttal. Once the City Council has heard all of the testimony and the City Council has had an opportunity to ask questions, then the staff will give their recommendation. The Mayor said he would then close the public hearing.</p> <p>Mayor Dirksen noted that no one had signed in to speak for or against the proposal. However, he said they would begin the testimony by receiving the applicants' comments and then the Mayor will ask if there are individuals present who would like to speak.</p> <p>Applicant:</p> <ul style="list-style-type: none"> ○ Geraldine Moyle, Land Use Planner with Group Mackenzie, 0690 SW Bancroft, Portland, Oregon 97214, advised the DeHaas Engineering, SWCA Environmental Consultants, and Group MacKenzie are the consultant team hired by the City of Tigard's Engineering Department to design this project. They have worked with the staff and public the past few years to resolve issues. Highlights of Ms. Moyle's remarks are as follows: <p style="padding-left: 40px;">Wall Street is on the Transportation System Plan and is identified in the TSP to extend from Hall Boulevard to Hunziker Street. The portion of the street that is before the City Council at this time is Wall Street from Hall Boulevard extending to the east 360 feet. This 360 feet is contained in the Capital Improvement Program (aka Community Investment Program) and it is anticipated, upon approval, to be initiated with construction.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>This portion of Wall Street will provide access to the Library and to the Fanno Pointe Condominiums. Both of these properties have temporary access along Hall Boulevard; that access was granted by ODOT with the understanding that permanent access to the Library and Condominiums would be provided with the Wall Street Extension.</p> <p>The Extension was reduced to 360 feet, which is the minimum distance needed to provide access and to meet the stacking distance requirements and turning radius for people making left turns off of Wall Street to Hall Boulevard.</p> <p>The consultants worked with City staff to respond to public comments and at this time, the consultants have no issues with any of the conditions of approval.</p> <p>Marlin DeHaas of DeHaas and Associates presented information about the street design. City of Tigard retained this firm in 2002 to assist with the engineering of the connection of Wall Street from Hall Boulevard to Hunziker for a local improvement district. Because of difficulties including timing and gaining approval for crossing of two railroads tracks between Fanno Pointe and Hunziker, the City decided to build only a portion, 360 feet, of Wall Street. Mr. DeHaas referred to the maps noted as Exhibits and clarified that north is always "up."</p> <p>Mr. DeHaas noted part of the project was the signalization of the intersection at Hall Boulevard and Wall Street. Because of the safety issues at the Library and all of the traffic, the light has been installed.</p> <p>The current street alignment was selected from nine alternatives for the route from Hall Boulevard to Hunziker Street. The</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>selected alignment best addressed environmental issues and satisfied the Department of State Lands, Corps of Engineers, Oregon Department of Fish & Wildlife, and Clean Water Services.</p> <p>Wall Street is a minor collector street with two travel lanes, a center left-turn median, two two-foot bike lanes, two five-foot planter strips, six-foot sidewalks, and public utility easements (power, cable television, gas, telephone) on both sides of the street.</p> <p>Mr. DeHaas said the purpose of this section of Wall Street is to remove the direct accesses onto Hall Boulevard. Those accesses would be relocated to the east end of this section of the street, opposite each other as shown in Exhibit A (map).</p> <p>A major issue was the realignment and restoration of the Pinebrook Creek to its historic channel. Mr. DeHaas described the activities that would need to take place to realign the creek, including construction of a fish-friendly culvert.</p> <p>Mr. DeHaas introduced Stacy Benjamin, Wetland Ecologist from SWCA Environmental Consultants, 434 NW Sixth Avenue, Suite 304, Portland, OR 97209. Ms. Benjamin has been working for the City since 2003 to obtain the wetland removal and fill permits from the Department of State Lands and the Corps of Engineers as well as the service-provider letter from Clean Water Services. This project proposed .011 of an acre of impact to Pinebrook Creek and associated wetlands. The proposed mitigation plan calls for relocating Pinebrook Creek slightly south of its existing location and connecting it to Fanno Creek. Ms. Benjamin referred to Exhibit A (map) and described the area, including the proposed relocation of the creek. Mitigation also includes creation and enhancement of</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>stream-associated wetlands. Ms. Benjamin referred to Exhibit D (map) and described ponds to be enhanced and the wetlands to be created and restored. There will be more than one-half acre of wetland mitigation for the .011 of an acre that will be impacted.</p> <p>Ms. Benjamin said that the existing condition of Pinebrook Creek and its wetland have been extensively modified from its historic condition from its prior land use on the site including two online ponds. The creek's hydrology was altered and its connection to Fanno Creek had been cut off. This connection will be restored through an historic channel that had dried up. Fish passage can occur during high flows from Fanno Creek into Pinebrook Creek for cutthroat trout and steelhead.</p> <p>Invasive species of vegetation will be removed from the wetlands. The diversity of native trees and shrubs will be increased to improve wildlife habitat in the long term.</p> <p>Ms. Benjamin said there is approximately 200 feet of stream channel that would be filled with 550 feet of new stream channel created. She referred to the fish-friendly culvert to be installed under the Fanno Pointe access as part of the improvements for fish habitat.</p> <p>Ms. Benjamin noted there is some impact to sensitive lands and she referred to Exhibit C (map) to describe. There are nine viable trees greater than 12 inches in diameter that will be removed. The required mitigation would be to plant 91 caliper inches; they proposed to plant 336 caliper inches. The area where the new plantings will occur is considered a vegetative corridor by Clean Water Services. The 241 trees to be planted will be native trees. They also plan to plant approximately 1200 native shrubs throughout the area. She said these would</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>be a huge increase in improvement to the wildlife habitat as a result of this project.</p> <p>In response to Councilor Wilson who asked if Pinebrook Creek was large enough to support cutthroat trout, Ms. Benjamin said it was, but during the high flows only. Councilor Wilson said in previous hearings that people have testified that there are western pond turtles in the area and he asked Ms. Benjamin to comment. Ms. Benjamin said their wildlife biologist talk to some people to get their observations. There have been observations in the general area of City Hall and north of Fanno Creek. The pond that is to be revised along Pinebrook Creek is not good turtle habitat according to their wildlife biologist. There are some better ponds to the north of Fanno Creek (and north of the Library site) where there are cooler, more shaded, and deeper ponds that have some beneficial in-water structures such as logs.</p> <p>The ponds were man-made and Ms. Benjamin advised they had seen aerial photos dating back to the 1930's. It looked as if between 1930's to 1950's, two ponds were created by pushing up berms and putting in concrete at the downstream end. The ponds are not natural features and they do heat up in the summer. When the water eventually makes its way to Fanno Creek, it creates thermal pollution. The ponds will be retained as seasonal ponds but would dry up in the summer, which would be beneficial for the area.</p> <p>At the request of Mayor Dirksen, Ms. Benjamin referred to a map and described the point at which Pinebrook Creek would go into Fanno Creek when reconfigured.</p> <p>In response to a question from Mayor Dirksen, Ms. Benjamin pointed to a map</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>where two large cedars were located that would need to be removed. The area will be regraded to recreate the stream channel making it necessary to remove the two trees. In the long term, much more tree cover and diversity will be provided than what is now there. In response to a question whether there was any possibility of reconfiguring the project to save the trees, Ms. Benjamin advised they were constrained because of fill slope and the location of Fanno Pointe Condominiums. If the trees were to be saved, then they could not create a functioning stream.</p> <p>Mayor Dirksen asked about the original length of the street, which was to be 425 feet and then reduced to 360 feet. Mr. DeHaas confirmed that the street was originally 425 feet, but it was shortened so no fill would be constructed in the 100-year flood plain.</p> <p>Mayor Dirksen asked when the new entrance to the condominiums is put in, will the existing entrance onto Hall Boulevard still exist? Mr. DeHaas said that the existing entrance will be removed and landscaped similar to the frontage that is now there. There is turn around capacity for emergency vehicles, so the existing entrance will not be needed for emergencies.</p> <p>Councilor Harding referenced a citizen comment contained in the written materials before the City Council noting that excavation appears to be called for in the 100-year floodplain while at the same time stating that development within the 100-year floodplain has been avoided. Councilor Harding said the floodplain map was updated recently with new information released to local jurisdictions and she asked which maps were used for this project. Mr. DeHaas said he believed they had the latest information on the floodplain and they determined the floodplain in the area as</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>141.4 elevation. Mr. DeHaas said there would be some minimal grading involved with the relocation of the stream, but there will be no roadway fill in the floodplain. In response to a question from Mayor Dirksen regarding whether the grading that will take place in the floodplain is to recreate the old streambed and for wetland mitigation, Mr. DeHaas said that was correct.</p> <p>Councilor Harding referred to written testimony stating that a pond is not shown on the map. Ms. Benjamin said she believed this comment had been discussed at the Planning Commission meeting. The information Ms. Benjamin and her colleagues used to determine wetland impacts was based on three wetland delineations conducted by various consultants that were all concurred with by the Department of State Lands. Since that time, the Library has been constructed and there has been temporary destruction to some of the hydrology due to the outfall from the Library. She said she thought there was some seasonal ponding on the site, which is the typical condition. There are no new wetlands that she is aware of that would be impacted.</p> <p>Councilor Harding referred to written testimony from a citizen stating that "...the DKS traffic study does not appear to include traffic from Fanno Pointe Condominiums in the Hall/Wall intersection analysis. Recent traffic counts at the Hall/Wall intersection find that the DKS study overestimated the traffic going to and from the Library by more than 171%, 192%, 167% and 232% respectively for each of the turn lanes considered in the study..." She asked for the consultant to comment on this as this street will not likely be extended soon and asked for justification for this size of road. Ms. Moyle responded that the DKS study referenced included additional analysis by</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>DKS to determine the length needed for the road. She referred to information included in the application package that the 360 feet is what is needed to accommodate stacking distance. This included an analysis that was done at the time of the Library; there has been some traffic occurring since then. The study determined that the length was the minimum needed; it could not be any shorter and still accommodate the stacking needed at the signal. Councilor Harding noted that it seemed a little bit like "overkill" without any immediate plans to do any kind of extension. She added she did not know if the full width needs to be constructed, adding costs and maintenance for the lower volume of traffic that will occur at this time. Mayor Dirksen commented that he didn't see how making the road narrower would be an improvement. Ms. Moyle advised that the sidewalks and bike paths connect to the Fanno Creek Trail, which provides a connection for recreational users. She reiterated the width would accommodate two travel lanes and a turn lane and was the minimum needed to meet the City standard. They did ask for modification on the landscaping to reduce width to avoid additional impact to the wetlands.</p> <p>Councilor Harding asked about the nine designs reviewed and how much more significant would the impact have been on the eight designs as opposed the design selected. Mr. DeHaas responded that the main factors leading to the selection of the proposed design included less impact to wetlands, and for the future alignment and crossing to connect to Hunziker Street. One of the alignments crossed Fanno Creek three times. The alignment was moved a number of times to find the best alignment. Mayor Dirksen recalled reviewing (several months ago) some alignment options for this project during a City Council study session meeting.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Wilson asked when the “little pond” was added to the Goal 5 inventory. Associate Planner Igarta noted this is called the “west pond” and is on the inventory of significant wetlands per the local wetland inventory performed by Fishman Environmental Services. Based on that wetlands inventory, the pond was identified as significant and included on the wetlands and streams corridor map that identifies significant resources. Planning Manager Bewersdorff said he did not recall the year, but it was done with the last update to the wetland inventory as part of the Goal 5 process, which was probably done sometime around 1998-2000.</p> <p>Councilor Wilson asked Attorney Firestone if the City needs to treat this proceeding as the City would any other private applicant. Attorney Firestone said Council will have to make a quasi-judicial decision, which means it will apply the standards considering the existing facts. If the City Council determines that the applicable standards are met, then the City Council can approve the application. If the City Council finds that applicable standards are not met, then it must either deny or condition the application. Councilor Wilson asked if the standards for making a decision for a Comprehensive Plan Amendment are the same as for a Zone Change. Attorney Firestone said that for a Comprehensive Plan Amendment there are specific things to consider including Statewide Goals and other provisions of the Comprehensive Plan as applicable standards.</p> <p>Councilor Wilson noted standards listed on Page 6 and 7 of the Staff Report regarding Comprehensive Plan Amendments. He asked if he was correct whether the third criterion was the only one applicable to a decision. Attorney Firestone said there were other Comprehensive Plan requirements.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>When dealing with consistency the City Council must essentially look at the entire Comprehensive Plan to determine relevance and consistency. Councilor Wilson noted that when looking at a legislative matter the City Council has a wide latitude to make changes. He said he was troubled by some of things in the Staff Report indicating that because the Library and condominiums were built, joint access is now needed and for that reason a pond must be removed. This argument could be made to fill any wetland. He said that he was hearing other things that seem applicable and would be better reasons to cite for the proposal. As an example, Councilor Wilson noted the thinking has changed (new science) with regard to offline ponds, which would be more of a reason to remove the designation than simply because there has been adjacent construction. Attorney Firestone agreed with Councilor Wilson that the new thinking regarding offline ponds was a supportable finding.</p> <p>Public Testimony:</p> <p>Opponent:</p> <p>John Frewing, 7110 SW Lola Lane, Tigard, OR 97223 testified. Mayor Dirksen advised Mr. Frewing that the City Council had received earlier information submitted by Mr. Frewing. Mayor Dirksen asked the City Council if they had had an opportunity to review this information; City Council members indicated they had reviewed. Mayor Dirksen also advised Mr. Frewing a response to the issues raised had been prepared. Mr. Frewing indicated he saw the response information for the first time this evening and indicated he was not prepared because the responses were not mailed out to the individuals who provided the comments.</p> <p>Mr. Frewing said he did not think the application meets the City rules in a variety of ways. He noted that he had provided "chapter and verse" comments</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>in his written testimony.</p> <p>Mr. Frewing referred to the drawings, Exhibits A, B, C, and D, and said that he had not seen these before and, to the extent that they are new information, he said he would like to review them and compare them with the application. He said that he had reviewed the application and he believes the drawings are different and would like seven days or the applicable amount of time available to review. He said he did not think the 120-day rule applied in this type of application. Attorney Firestone confirmed that the 120-day rule does not apply.</p> <p>Mr. Frewing referred to what he believes was a misleading comment stating that the primary purpose for the SW Wall Street Extension was to provide joint access to the Library and condominiums. He said that as the City Council had heard this evening, the purpose of the major road construction is to provide access to property across Fanno Creek and, perhaps, across the railroad and extending as far as Hunziker Street. He said the summary and the application misstates the purpose seriously. The result is that the applicant (the City staff) has used material for a prior study that looked at alternatives crossing Fanno Creek and ways to get to the property on the other side of Fanno Creek and the other side of the railroad and the alternatives were chosen so as to best make the connection to Hunziker. The alternatives for the joint access of the condominiums and the Library onto Hall Boulevard were not supported by studies. The alternatives related to which one of the routes to Hunziker should be selected. Mr. Frewing said he thought the scope of the analysis was improperly done.</p> <p>Mr. Frewing said he would like to go over to the drawings and point out what he thought would be a reasonable alternative to solve problems. Mr. Frewing referred to Exhibit A and advised that the stated purpose to the application was to provide access to the Library and Fanno Pointe. There needs to be some connection across Pinebrook Creek, which he said he was in agreement. Mr.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Frewing said the simplest thing to do would be to construct a small bridge across Pinebrook Creek from the parking lot of the Library to Fanno Pointe Condominiums. The problem would be resolved as stated in the application. At the same time, he said that he appreciated the fact that there was another property owner on the east side of Fanno Creek who wants access. He said "you have had yourselves or your staff attend meetings with the School District that is looking at the eventual management of property adjacent to the railroad..." or for disposition or other alternatives for the property. Mr. Frewing said that to get access to the property, it would not be across the railroad, but to simply have the School District sell, lease, or provide easement from Hall Boulevard to "here." He added there perhaps could be the proviso that any school bus parking that is eliminated would be facilitated on other property to the south. Mr. Frewing said there were alternatives that have not been considered. He said Tigard does not need to do "all of this expensive engineering work right along Fanno Creek where Washington County, Beaverton, and Tigard have spent so much time and effort trying to develop greenway along the creek."</p> <p>Mr. Frewing summarized that the scope is misstated and the alternatives, therefore are not fair alternatives.</p> <p>Mayor Dirksen commented that other options have been considered with regard to crossing to the property on the other side. The owner of that property has a legal right to a right of way along the southern border of the City's property (Library). The City had an alternative of either trying to make our right of way for the City's use and to also make it potentially useful to this property owner if he chose to exercise that right of way, then what would happen ecologically and practically for the City for access to the Library and to the condominiums. If the City was forced to allow access along that right of way and this would be a better alternative than allowing that already legally required access. The owner of the property on the other side is under no obligation to consider that alternative that Mr.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Frewing mentioned. Mayor Dirksen said he proposed this alternative to the owner and he has not responded; he apparently was not interested. "We could live with dreams, but we choose to live with reality, I think." Mayor Dirksen noted that with regard to the right of way chosen, it is the best alternative based on that requirement and also, as heard earlier, it was the Mayor's opinion that it minimizes the impact on the wetlands as much as possible within the scope as previously discussed.</p> <p>Mayor Dirksen added that with regard to the "primary purpose," he knew that there was a prior Council that was aggressively working with that property owner toward extending the street across Fanno Creek and into the property and across the railroad. He said that this Council has expressed no desire to act as an active participant. The City Council has backed off from that partnership so the only interest at this point, is to allow that owner access to his property. Mayor Dirksen said he understands the Council is now considering road for access to the Library and to the condominiums as required, which is the "primary purpose."</p> <p>Mr. Frewing clarified that when he said there were no alternatives, he meant there were alternatives that were not looked at. He noted that when he looked at the application, the DSL application and the Corps of Engineers application, there was no study of the use of the right of way along the south border of the Tigard property near the Library and there was no study of the access along the railroad track. Those were alternatives that were not considered and should be looked at in as much detail as the nine alternatives that were reviewed that were just slight variations of the angle of Wall Street as it turns off of Hall Boulevard. Mr. Frewing said he accepted the Mayor's statement that there are some other ideas out there that might be better for the City of Tigard and he said he would like to promote those.</p> <p>Mr. Frewing referred to the written comments he submitted to the Council; he advised there was one thing he did not submit, which was relative to the</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>comment on traffic. Mr. Frewing said that the actual traffic going through the intersection at Hall and Wall is substantially less than the application shows and he said he wanted to submit for the record the data that supports his assertion. He said that on the afternoon of March 13, he sat in his car in the Fanno Pointe parking lot, and from 1600 to 1800, he counted cars going northbound, southbound, turning different ways, including those going in and out of Fanno Pointe Condominiums. He submitted a one-page document entitled, <i>Tigard Wall Street Extension Traffic Observation of March 13, 2006 – John Frewing</i>.</p> <p>Mr. Frewing said that the study done by DKS is no better than what he submitted; they did not look at three weeks of data collection, but they looked at a typical afternoon and he also looked at a typical afternoon. The DKS information was done three years earlier before the Tigard Library was constructed and it was speculative about how much use the Tigard Library would get and it also considered some traffic coming across Fanno Creek as if Wall Street were further extended. Mr. Frewing said “the use of this street for the purposes that you are considering is much, much less than the traffic analyst’s study states.”</p> <p>Mr. Frewing commented on the Pinebrook culvert. He said the hydrology and determining how big the culvert needed to be was based upon the 2003 study done for the culvert on Pinebrook Creek underneath Hall Boulevard, which is 150 feet upstream. He said his assertion is since that earlier work was done, there has been a good bit of development upstream in the Pinebrook Creek watershed. There have been some developments on McDonald Street and others that have been permitted, including those at the very top of Little Bull Mountain at 103rd and Canterbury where there is a new parking lot, which reduces the amount of infiltration. Those changes in watershed conditions should have been evaluated in looking at the culvert design.</p> <p>Mr. Frewing said the current design has new lines,</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>which he said he had not seen before. Mr. Frewing then drew on a white board and said, "If we were to draw a cross section of the culvert, a cross section of the roadway that goes across to Fanno Pointe Condos over Pinebrook Creek, we'd have Pinebrook Creek...would be going down here like this. The roadway would be here like this and...so this is Fanno Creek over here and this is Hall Boulevard over here and here is the newly constructed or proposed roadway and said he forgets if it has sidewalks or not. Over here there is a Fanno Creek trail – but over here the application shows a block wall going down like this and that serves to minimize impact down in here. If they were to do a fill, I mean all this area would be impacted – or put in a culvert. Up here, though, they don't do that and my comment – one of the ones written – is why don't they put a block wall right here also and save this amount of area from being culverted and make that available for viable stream habitat. They just haven't done – haven't made reasonable efforts to minimize impact on the streams..."</p> <p>Mr. Frewing emphasized that just like a private development, as Councilor Wilson noted, an impact study is called for this project. He said he did not think the impact study that was done meets the Tigard Code Section 18.390. He read the following from CDC 18.390:</p> <p style="padding-left: 40px;">The impact study shall quantify the effect of the development on public facilities and services.</p> <p>Mr. Frewing said that "in two short paragraphs on transportation, not one quantification was made. Quantification is to give numbers to it, to say that - maybe you just have to hire an expert and say '38' if you think 38 is the impact; you're supposed to quantify it. You're not supposed it to say 'sort of' or 'bigger' or 'smaller' – quantify it. They did not quantify the impact on transportation. For the parks system impact the total analysis is that the project area is not located within the City's parks system. No quantification. For noise impacts,</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>similarly. 'The usual noise associated with similar-sized facilities.' No quantification and ignoring a shift in trucking if the road is eventually built across Fanno Creek to the industrial-zoned area on the east side of the stream. The Tigard Code at 18.390 further requires, that 'For each public facility system and type of impact the study shall propose improvements necessary to meet City standards and minimize the impact of development on the public at large, public facilities systems, and affected private-property users.' No such proposed improvements are stated. It just doesn't meet the Code. The Code says that you are supposed to propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, etc. That's an approval criteria; that's not just an information requirement. I know the applicant is well aware of other public facilities and systems which may be affected by the proposed development. There is a state law that says Tigard cannot impose system development charges for schools but there is no state law that says that the impact statement cannot address the impact of the development on schools. Law enforcement was not addressed; the Library was not addressed; natural resources were not addressed. The impact study is seriously deficient in my view. It doesn't meet Code requirements and the application should not be approved."</p> <p>Mr. Frewing said he made several comments about wetlands and buffer areas that relate to the Clean Water Services service-provider letter. Clean Water Services made clear that the place to raise those kinds of comments is here before the local land use process. Mr. Frewing said he has tried to raise those issues and asked that those be addressed.</p> <p>Councilor Sherwood asked Mr. Frewing if he attended the Planning Commission meeting. Mr. Frewing said he did not attend the Planning Commission meeting but he did submit written comments. He said he could not attend the meeting that evening.</p> <p>Rebuttal</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Ms. Moyle noted that Mr. Frewing's written comments were addressed that had been submitted to the Planning Commission for that hearing.</p> <p>Ms. Moyle addressed the following points in rebuttal:</p> <ul style="list-style-type: none"> ◆ Mr. Frewing said the exhibits presented to the City Council were new exhibits; however, they are the same exhibits that were presented at the Planning Commission hearing. The exhibits have been in the public record for at least a month and they were available at the hearing. ◆ All of the applicable goals and objectives of the Comprehensive Plan and of Metro are addressed in the application under Section 4. ◆ Traffic - Exhibit 12 of the application package is a DKS letter dated February 21, 2005, which addresses the impacts of the Library and the Wall Street Extension and the minimum amount of Wall Street Extension needed to serve the Library in 2005 data. This information conveys that, based on the volumes that DKS projected, a 100-foot westbound left-turn lane plus 165-foot long transition behind that for a total of 265 feet. An additional 100 feet behind that for the queue, which is the minimal length being proposed: 365 feet. ◆ Impact Study information was presented in Exhibit 8 and was deemed to be acceptable by City of Tigard Planning staff. <p>Mr. DeHaas addressed the following points in rebuttal:</p> <ul style="list-style-type: none"> ◆ Traffic data had been discussed and, even if the numbers were different, two travel lanes and a turning lane would work well for this situation. ◆ The flow study was based on Comprehensive Plan full build out; additional development was anticipated in 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>the flow quantities.</p> <p>Engineering Manager Nguyen addressed the following points in rebuttal:</p> <ul style="list-style-type: none"> ♦ DKS provided the traffic information. DKS is a certified, professional traffic engineering firm. ♦ Hydrology study issues were brought up. The culvert was “over designed” to accommodate future flow. ♦ Alignment was supported by the Oregon Department of Transportation because it meets spacing requirements for the Hall Boulevard and O’Mara intersections. <p>Ms. Moyle addressed the following point in rebuttal:</p> <ul style="list-style-type: none"> ♦ While the application requests removal of the ponds; part of the ponds will remain. The removal request is for those parts being impacted. The ponds will remain on the map but will be modified to not include the portions impacted by the road. <p>Ms. Benjamin addressed the following points in rebuttal:</p> <ul style="list-style-type: none"> ♦ Clarified that the revisions to the Sensitive Lands Map are more accurately described as “reconfiguring” rather than “removing.” The pond near Hall Boulevard is now essentially a year-round pond that is being proposed to change into a seasonal pond, changing its hydrology. The size and shape of the pond area will remain essentially unchanged; there will be a slight impact at the north edge of the pond. ♦ The length of the culvert is 65 feet and most of the width is necessary because of the width of the Fanno Pointe access road. Even if there was a retaining wall at the upstream edge, it would probably avoid impacting about 15 linear feet of streams. They will be gaining a reduction of impact with a retaining wall at the downstream end. Engineering 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Manager Nguyen added that the proposal would be less disruptive and place less of a burden on the property noting the impacts (footings and construction impacts) if a retaining wall was built.</p> <p>Mayor Dirksen asked if there was anyone who wanted to speak, who had not yet spoken.</p> <ul style="list-style-type: none"> ♦ Fred Fields, 1149 SW Davenport Street, Portland, Oregon, said he has an interest in the property on the “far side of Fanno Creek.” He said the pond nearest the Library was built in 1956 by Carl Brieland, who was Vice President of Finance for Jantzen Woolen Mills. Mr. Fields bought the property from Mr. Brieland in about 1965. Mr. Fields and Mr. Brieland had discussed the details for the purpose of the pond, which was built to provide irrigation for Mr. Brieland’s garden. Mr. Brieland’s property was about seven acres in size. By damming the creek and creating the pond, enough water reservoir was available to irrigate the garden and lawn of this property. Later the house was occupied by Clarence Nicoli, the former Mayor’s father. Mr. Nicoli used the water to irrigate as well. Mr. Fields said he thought irrigation had been discontinued in the last few years and that the water is now stagnant. <p>The pond near Hall Boulevard was created by the neighbors and shortly after Mr. Brieland created his pond.</p> <p>Mr. Fields said he has drawings from the 1970’s showing a proposed alignment of a street. At that time the street alignment was considered impractical because of wetlands. Since that time, the school bus parking lot and the City Hall property was filled in. As a result, a pond was created.</p> <p>Mr. Fields referred to Exhibit A where a pond was created, about two to three acres in</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>size, as a result of Unified Sewerage Agency (now Clean Water Services) cutting off part of the creek for a six-foot diameter sewer line that is located about 20 feet underground. Therefore, that is a "man-made" pond also – all three of the ponds were "man made."</p> <p>Mayor Dirksen thanked Mr. Fields for the information.</p> <p>Mayor Dirksen asked staff about the comment that was made that the application did not meet the Code in several areas. If the staff were reviewing this from a private developer, is the comment accurate?</p> <p>Associate Planner Igarta said the application was reviewed as it would be for a private developer. The review was per Code. Mr. Igarta said he believes that applicable review criteria were met by the proposal submitted for SW Wall Street.</p> <p>Planning Manager Bewersdorff said the reason why the application process has taken so long, is that it has had so many reviews and requirements. The street was shortened and impacts to the wetlands were limited based on the staff review. This has taken more than three years. Mr. Bewersdorff said, "We don't hold private development up that long."</p> <p>Associate Planner Igarta said staff finds that the proposed Wall Street extension meets all of the applicable review criteria and presents sufficient evidence to justify the proposed impacts to sensitive lands and the tree removal permit requested and the requested Comprehensive Plan amendment. Staff recommended that the City Council approve the Wall Street extension, subject to the conditions stated in the staff report.</p> <p>Mayor Dirksen closed the public hearing.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Council discussion followed.</p> <p>Councilor Sherwood advised she came on the City Council about three years ago and one of the first land use hearings she attended was for the Wall Street extension and study. She indicated she was satisfied with the information presented in the staff report and thanked Mr. Fields for the history of the property.</p> <p>Councilor Wilson indicated he, too, was satisfied that City staff has addressed the criteria. He noted the unusual requirement for a Comprehensive Plan amendment. He indicated that he was satisfied that the criteria were met as evidenced by a change in the circumstances, particularly in the change of the understanding of the significance of the resource designated a Goal 5 resource as being degraded and man made and not as significant for habitat and in some ways even detrimental to the hydrology of Fanno Creek. He said he was prepared to vote, "yes."</p> <p>Councilor Harding said she appreciated the comments from Mr. Fields about the history of the ponds. She said that would troubles her about this proposal is whether this is the least costly method that can be done for the taxpayers considering what the overall cost of the Library has been. She said she understands the reasons for doing "over-engineering" for future development, she does not see traffic increases requiring a road of "that size." She said she did not know if it would be possible to cross the railroad even within the next 25 years. She questioned whether there was a need to "over-build" the road to "that degree" at this time. She would support having the right of way to be available to build later when it might be necessary; however, she said she could not agree to spending tax money for that large of a project, which is not foreseeable in the near future when there are so many other roads</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>and transportation issues that need to be addressed. She said she was leaning towards “no” on this application. If she “could see the benefit of it being that big of street, she would lean towards ‘yes.’”</p> <p>Mayor Dirksen advised he heard the consultants say that because of the requirement for a number of turn lanes, sidewalks and bike paths – perhaps it could be slightly narrower street based on today’s needs. He questioned whether it would be appreciably narrower and make much of a difference either to the cost or impact. There is also the consideration for future use. Mayor Dirksen referred to current traffic volumes mentioned by Mr. Frewing and that the street does not need to be as big. However, he said if the City Council were to make “the opposite decision, anyone who chose to find fault with whatever we do, could just as eagerly argue that we’re not planning for future needs...”</p> <p>Councilor Harding questioned whether it was necessary to “put the asphalt down” as “25 years is a long time.” She reiterated she did not see the road crossing the railroad tracks in the foreseeable future.</p> <p>Mayor Dirksen complimented the staff and consultants on what he thought was an extremely comprehensive ecological study. The project will restore and enhance this area into a much more valuable natural area than it is now. He agreed with Councilor Wilson’s comments that the area has been excessively degraded over the years by other uses and this project will bring it back to a more natural state that will be appreciated by the people who live in this area but also by people who visit the Library and enjoy the open space. As the Fanno Creek trail extends through this area – it’ll just be better all around. This project meets the requirements established up front when the</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>City Council approved the condominium development to get rid of the driveway onto Hall Boulevard. The project improves the wetlands and stream corridor. The project allows for the final configuration of the Library parking lot and for the storm water retention as it was designed. The project also meets the legal and contractual obligations that the City has to Mr. Fields. There are at least four or five benefits to this project and, for that reason, he will vote "yes."</p> <p>Councilor Wilson elaborated on a comment by Mayor Dirksen noting that this issue has been discussed a lot over the last three years in various public settings to review engineering and the different options to meet requirements of the Library construction and to meet legal obligations with regard to the purchase of the Library property. The City Council did discuss not pursuing this further and allowing Mr. Fields to have his legal access on the south end of the property; if the City had done this, there would have been a worse result and one that would not be necessarily a public street and would preclude the future extension of Wall Street, which is on the City's Transportation System Plan. By slightly realigning an access that could serve as access to Mr. Field's property, which is his legal right, if it were to be extended, it could serve both that property and the public in the future with one crossing of Fanno Creek. He said he believed it was in the public's interest to do it this way.</p> <p>Attorney Firestone advised there were procedural issues the City Council might want to consider. Mr. Frewing asked for time to submit additional materials. Attorney Firestone said the City Council could choose to grant additional time; however, this is not the initial evidentiary hearing, so the granting of additional time is not required. Also, Mr. Frewing primarily referred to the four maps that were presented at the Planning</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Commission.</p> <p>Attorney Firestone said a second procedural issue was that the City Council could make a final decision tonight adopting the findings that are before it. The City Council could also choose to make a tentative decision giving directions for supplemental findings if it believes that supplemental findings would be necessary to address any of the issues raised tonight.</p> <p>Councilor Harding said she was not convinced that changes in the floodplain maps have not been addressed. Mayor Dirksen said the professional consultants who say what has been done is suitable and "I have to go with that."</p> <p>Councilor Harding said that a many times that agencies have different information. She said with infill, the floodplain was raised and there are runoff issues in the City, which are of concern to her.</p> <p>ORDINANCE NO. 06-05 – AN ORDINANCE APPROVING SENSITIVE LANDS REVIEW SLR2004-00003 AND SLR2006-00001, TREE REMOVAL TRE2006-00001 THROUGH 2006-00009, AND COMPREHENSIVE PLAN AMENDMENT CPA2004-00001 TO REMOVE GOAL 5 PROTECTION FROM THE RESOURCES TO BE IMPACTED BY CONSTRUCTION OF SW WALL STREET AND TO ADD NEWLY CREATED AND RESTORED WETLAND AND RIPARIAN RESOURCES TO THE INVENTORY OF LOCALLY SIGNIFICANT SITES</p> <p>Mayor Dirksen allowed Mr. Fields to address the Council. Mr. Fields said he thought more history might be appropriate. He said the City came to him about the Library property about four or five years ago. At that time several</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>sites were under consideration. Mr. Fields said this property had not been offered for sale except for when he purchased it in the 1960's and 1970's. Mr. Fields said that since the City Hall property was across the street, it seemed appropriate that the City should have the property for the Library. This property and other sites were appraised. Mr. Fields said he agreed to sell the property to the City and accepted the City's appraisal as to the value of the property. He also owned the property "on the other side of Fanno Creek" and he needed access to this property. He told City representatives that he could not sell the property for the Library and give up access to that property. As long as the access was available to him, he was amenable to selling the Library property to the City. The City agreed to this. He said it was an entirely different City Council and he said he "could appreciate that everyone could change their mind, everybody could second guess...but mind you, that has been over three years now. I've waited all that time. The City has built their Library and has been in operation well over a year, and I have one...bit of anything that has resulted in my favor. And, I've been going to these things for these long years. And, I probably won't live forever, but I plan to live to be 100...There have been very practical reasons for what the City has done and what I did. I hope you understand."</p> <p>Mayor Dirksen told Mr. Fields, "We love the property and we love the Library on it. It is a great addition to the City."</p>	
<p>7. Consider Participation in the Proposed Willamette River Water Coalition (WRWC) Projects</p>	<p>Presentation to the City Council by Public Works Director Koellermeier and Intergovernmental Water Board (IWB) Chair Scheiderich.</p> <p>The Tigard Water Service Area needs to decide whether it wishes to participate in two proposed Willamette River Water Coalition Projects:</p> <ol style="list-style-type: none"> 1. City of Sherwood's expansion of the Willamette 	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to authorize the City Manager to sign a letter to WRWC expressing the City Council's opinion that aligns with the IWB recommendations regarding the two proposed</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>River water supply system.</p> <p>2. Tualatin Valley Water District's (TVWD) expansion of the Willamette River water supply system.</p> <p>The IWB recommends the Tigard Water Service Area (TWSA) decline to participate in the Sherwood expansion as this project would be of little direct benefit to TWSA customers.</p> <p>The IWB supported participation of the TWSA in the TVWD's project. The IWB is aware that the City of Tigard has a Charter amendment requiring voter approval to use the Willamette River as a drinking water source, but recommends that the City invest in these improvements and, if necessary, recover the investment by leasing the facilities to others. The TWSA will also need to reserve the right to adjust the participation level based on upcoming decisions related to other water sources. The TVWD has indicated its willingness to work with the TWSA within the context of these constraints.</p> <p>Copies of the staff report and letters from IWB Chair Scheiderich stating the IWB's recommendation on the above two projects are on file in the City Recorder's office.</p> <p>Councilor Wilson noted some of the key critics regarding the use of Willamette River water have changed their opinion. He referred to the fact that securing future water sources will be complex decisions and supported keeping options open. Participation in the TVWD project will not circumvent the direction from voters (Charter provision on use of Willamette River water.)</p> <p>Mayor Dirksen noted Councilor Woodruff forwarded a note to him stating he was sorry he could not attend tonight's meeting. His position is "we should continue to work with all our partners until all of our choices are clearly delineated." Councilor Woodruff said he was opposed to a significant increase in a financial investment</p>	<p>WRWC projects.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>regarding the Willamette as the implication would be that we were moving the City down that road prior to the required vote. He said that he did not want the City to have spent large amounts of money without voter approval that this is the direction they want us to go. Councilor Woodruff also noted that he hoped that the Lake Oswego study will reveal that the Clackamas is the best equity option and that we can rely on that along with Bull Run to meet our needs over the next 20-30 years.</p> <p>Councilor Harding said she agreed with Councilor Woodruff's comments but she also stated that the City needs to remain cognizant of future needs</p> <p>Councilor Sherwood said she disagreed with Councilor Woodruff insofar as the City needs to stay connected for future options.</p> <p>Public Works Director Koellermeier advised that a 10-year water contract with the City of Portland takes the pressure off and the City can move more slowly in considering long-term options. He advised that TVWD would like to begin right-of-way acquisition.</p> <p>Mayor Dirksen agreed that the City should not cut itself off from other options. He referred to the IWB letter from Chair Scheiderich, which suggested there might be an opportunity to recoup costs through leasing.</p> <p>Public Works Director Koellermeier advised if the City Council concurs with the IWB's recommendation, a letter would be prepared echoing the same messages contained in the two letters in the City Council packet from IWB Chair Scheiderich. Mayor Dirksen noted he thought the messages contained in these two letters were good.</p>	
8. Report from Mayor and Council Members on the National	This item was not discussed due to the lateness of the hour. (City Recorder's note: This was discussed on May 23, 2006.)	

Agenda Item	Discussion & Comments	Action Items (follow up)								
League of Cities Congressional City Conference										
9. Council Liaison Reports	None.									
10. Non Agenda Items	<p>A request for a work session review regarding storage of “nuisance” items on property was requested by Bill Scheiderich. Councilor Wilson added that he was concerned with the number of shopping carts left about throughout the community and questioned whether there was some way this could be addressed.</p> <p>Upcoming calendar items as listed on the City Council agenda were reviewed.</p> <p>Council discussed its goal for increasing interaction with youth. Ideas included participating in school-year kick-off functions at the beginning of the year, City Council/city representatives speak at government classes (civics), offering services when requested by teachers or administrators.</p> <p>The Youth Summit was a good event; however, it only occurs once a year.</p>	<p>Mayor Dirksen suggested this request be forwarded to Interim Community Development Director Coffee</p>								
Adjournment	The meeting adjourned at 10:24 p.m.	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
Mayor Dirksen	Yes									
Councilor Harding	Yes									
Councilor Sherwood	Yes									
Councilor Wilson	Yes									

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

i:\adm\cathy\ccm\2006\060509.doc

Agenda Item No. 3.1
For Agenda of 6.13.06



Tigard City Council Meeting Minutes

Date: May 16, 2006
Time: 6:00 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Workshop Meeting	<p>The Council went into Executive Session at 6:00 p.m. to discuss Real Property Transaction Negotiations, Exempt Public Records, and Pending Litigation, under ORS 192.660(2)(e)(f) and (h).</p> <p>The Executive Session concluded at 6:45 p.m.</p> <p>1.1 Mayor Dirksen called the City Council Workshop Meeting to Order at 6:50 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports: none</p> <p>1.5 Call to Council and Staff for Non-Agenda Items: none</p>	
2. Citizen Leadership Group Project Presentation and Award of Certificates	<p>Assistant to the City Manager Newton introduced Melissa NewMyer, a graduate of the Citizen Leadership Group. Ms. NewMyer presented a report on the 2005-06 Citizen Leadership Project. A copy of the outline of the project is on file in the City Recorder's Office. The project objective of the 2005-06 Tigard Citizen Leadership Communications</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Survey Group was to help improve communications between the City of Tigard and its citizens by gathering information and presenting their findings. As a result of the group's work, the recommendations presented to the Council included:</p> <ul style="list-style-type: none"> • Continue publishing the Cityscape. • Publish articles that educate the populace about issues Tigard faces. • Phone communications: answer phones in a timely fashion, call back within two hours if the caller wants to be called back, check phone lines with voice mail often, keep track of calls by time and topic, outgoing voicemail messages should stress leaving name and phone number and request that callers speak slowly. • Mail: Written correspondence should be answered, even if only with a postcard and specific groups of people affected by a City action should be notified personally rather than through the more general Cityscape. • Person-to-person: Mayor Craig Dirksen should model great communications within the City offices. • Website/e-mail: Review navigation on City website especially the "contact us" portion to assess visibility and ease of use. Some suggested additions included a drill-down list of the departments with details on what subjects each department addresses and include an "I don't know who" in the department list. <p>Mr. Potthoff, a graduate of the Citizen Leadership Group, noted that Tigard relies quite heavily on citizen involvement (volunteers). He said he was taken aback by the low compensation that the elected officials receive.</p> <p>Mayor and Council members discussed the pros and cons about the idea of increasing Council compensation. The Mayor advised that there is a "certain purity" achieved when there is no money to be gained by serving in local government.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Conversely, Councilor Wilson noted that the time commitment one must make to an elected position does affect the decision on whether or not to seek public office or remain in public office.</p> <p>It was noted that the City of Beaverton has a full-time mayor and that there are some benefits to that.</p> <p>Assistant to the City Manager Newton advised that the Executive Staff has reviewed the report submitted by the Citizen Leadership Group and are looking at incorporating some of their recommendations into how the City provides certain services. It was noted that behind most of the issues is the need for communication.</p> <p>Participants included: Doug Vorwaller, Russ Burns, Michael D. O'Brien, Mark Underhill, Diana Cutonilli, Roger Potthoff, Trish Anderson, Shirley Parsons, Elaine Rank, David Booth, John E. Bowman, Alison Rhea, Mark NewMyer, Melissa NewMyer, and Cleon Cox III.</p> <p>The next Citizen Leadership Group is planned for the fall of 2007 and will be a joint effort with the Chamber of Commerce.</p>	
<p>3. Enhanced Citizen Participation Update</p>	<p>Presenter: Assistant to the City Manager Newton</p> <ul style="list-style-type: none"> Implement the new neighborhood program throughout the City of Tigard – staff has met with the Tigard-Tualatin School District to present the enhanced neighborhood program and the link to schools. Staff met with school PSO's (Parent-Student Organizations) in March and April to describe the program. Community meetings are scheduled in May in two of the pilot areas and outreach to the third area will occur in June. The program structure will be developed with interested citizens from the pilot areas and the Citizens for Community Involvement over the summer. Ms. Newton reviewed the pilot areas that will participate in the program initially. 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<ul style="list-style-type: none"> • There was discussion about an event to kick-off the city-wide program. Mayor Dirksen suggested that some kind of party should be sponsored, such as a barbecue, with the City Council attending. The city-wide program will begin in early 2007. • Conduct a City-wide scientific survey/report on city services - This is being conducted the week of May 22. Two questions will ask citizens how they prefer to receive information from the City and if they have attended a City meeting within the last year. • Connect Council with students in schools - In March Mayor Dirksen participated with 63 middle and high school students in the first Tigard Youth Advisory Council Youth Summit. The Mayor led a session on leadership and facilitated the closing session. On May 5, Councilor Harding participated in the Tigard Turns the Tide Youth Symposium. Members of the community came together to discuss the issue of the ease of access to alcohol by youth and how the community might have an impact on addressing this issue. City Manager Prosser advised that the School Superintendent said he will be working to get the word out that the City Council would like to find opportunities to connect with students. Assistant to the City Manager Newton advised that high school students are interested in connecting with the City Council. <p>Ms. Newton updated the Council on the following:</p> <ul style="list-style-type: none"> • She continues to review periodically how to best distribute the information contained in the Cityscape. For example, it may be possible in the future to send out the newsletter in a way other than by bulk mail. At some point it may become cost effective to send the Cityscape to a list of users and also to send it by e-mail. 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<ul style="list-style-type: none"> • The Community Connector Program has not been growing as Ms. Newton plans to incorporate this program with the new neighborhood program. • The Citizens for Community Involvement will present an annual report to the City Council. Ms. Newton noted that many of the suggestions offered by the group have been followed up on. The CCI wants to plan an event to promote methamphetamine awareness. In addition, one of the suggestions from the CCI is to ask Senator Wyden to meet in Tigard for one of the meetings he periodically holds in communities. 	
4. Meeting with Municipal Court Judge	<p>Presenters: Court Records Manager Robinson and Judge Michael O'Brien</p> <p>The PowerPoint presentation provided to the Council is on file in the City Recorder's Office. Judge O'Brien reviewed the municipal court programs including traffic, youth court, and civil infractions.</p> <p>Judge O'Brien reviewed the 2005 legislative session changes. Changes included a court security fee, amended base fine and violations bureau schedules, and revisions to rules of the road: school zone speeding violations and pedestrian violations. Data and additional information is on file in the City Recorder's Office on the following items:</p> <ul style="list-style-type: none"> • Tigard Base Fine Schedule • 2005 Case Load Highlights • Graphs Showing 2001-2005 Case Loads • Key Components of the Traffic Program • Variables Affecting the Case Load • Traffic Fines and Civil Penalties (State Law allows reduction of 25% below base fine in most cases) – what is taken into consideration when imposing fines and penalties 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<ul style="list-style-type: none"> • Allocation of \$100 Traffic Fine Chart (For a \$100 traffic fine, approximately \$48 remains with the City of Tigard and the remaining portion is distributed to unitary assessment, County jail assessment, court security fee, and medical liability assessment.) • A Review of the Driver Compliance Program • Driver Improvement Programs • Tigard Youth Court Statistics • Youth Court Goals • Accountability of the Youth Court • Statistics Regarding Civil Infractions • Procedures for Working with Non-Complying Defendants • Court Budget Overview • Collections (variables) • Other Activities <p>Judge O'Brien suggested that information should be relayed to youth about what time curfew is in the City of Tigard. In response to a question from Councilor Woodruff regarding what type of community service is being required of youth, he said the City has a list of approximately fifteen agencies where youth can perform community service. In addition, a young person may propose a location of their own to perform the community service if it meets certain criteria.</p> <p>In response to a question by Councilor Wilson, there was discussion on whether the Tigard Municipal Code language is vague or poorly worded. Judge O'Brien noted that about three or four years ago the Code language was updated and is less of a problem. He said there are some areas that could be improved and noted the example of the high fine required to be imposed upon motorists who use private property to avoid a traffic control device. This may result in non-enforcement in that the fine seems to be out of proportion to the offense. There was discussion on recidivism by youth offenders. The goal of the program is to keep youth out of the judicial system when possible, by dealing with issues early on. After discussion there was a suggestion</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>that the city talk to the school district about implementing parenting program education.</p>	
<p>5. Discuss Greenburg Road Alternatives</p>	<p>Staff Presenter: City Engineer Duenas and Consultant Randy McCourt from DKS</p> <p>A copy of the PowerPoint presentation given to the City Council is on file in the City Recorder's Office.</p> <p>The issue before the Council was to discuss the findings of the study conducted to evaluate circulation issues and impacts on various alternatives aimed at improving performance at the Highway 99/Greenburg Road/Main Street intersection.</p> <p>A copy of a draft memorandum dated December 15, 2005, from Randy McCourt and Nate Schroeder is on file in the City Recorder's Office. This draft memorandum contains an executive summary of the project. Mr. McCourt presented a project overview including existing conditions, future operations, alternatives, and initial recommendations. Mr. McCourt noted the areas where bottlenecks occur. The future operations and recommendations are contained in the 99W/SW Greenburg Road Alternative Study Draft document which is on file in the City Recorder's Office. City Engineer Duenas noted that there is a meeting later this week regarding Washington County's project at 99W and Hall Blvd. City Engineer Duenas noted that at this meeting, Tigard would request consideration of pedestrian-friendly elements for this project. There was discussion about the need to coordinate for the improvements for the downtown as well as future plans for ODOT's potential replacement of the viaduct on 99W. If such a project is followed though, then this would be an opportunity to consider reconfiguration of the traffic patterns in the area. Mr. McCourt noted that the solutions were not difficult to determine; however, the difficult part is that the area is built out with commercial buildings and businesses and proposed solutions have impacts on the right-of-way and the commercial environment. Mayor Dirksen noted that this would be an issue that would need to be addressed and</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>while he was concerned about the businesses, he said many Tigard residents may be willing to devote resources to make the changes needed in the area. Mr. McCourt noted that, in the long term future for the area, the property owners might be better benefited if they were to relocate. There was discussion about Commercial Street and Center Street and the change from residential to commercial that might be realized in the long term. By reconfiguring the traffic in the area, Mr. McCourt described how it would be possible for people to travel in the area without needing to be on 99W. The Mayor suggested that this is a long term plan with a ten-year or greater timeframe which would give people an opportunity to adjust. Other discussion points were as follows:</p> <ul style="list-style-type: none"> • Greenburg/99W recommendations included to get the signal phasing in place and establish the turn lanes going north and south. • Suggestion to piggy-back onto the Hall Blvd. project to extend the through lane to improve operational efficiency • While it would be "nice" to address the southbound travel lane, it might make more sense to wait until other improvements are made first. • It was suggested this could wait until the ODOT viaduct project was done in about 5 years. • There was discussion about timing of the different intersection improvements. It was noted that the Hall Blvd. intersection is too close to the Highway 217 exit on 99W, which causes traffic back-up problem. The location of this intersection makes it necessary to have queuing for Hall Blvd. and for Greenburg Road. It was agreed that it was a moot point with regard to removing the Hall Blvd. intersection. There was discussion on the improvements that could be made to alleviate the queuing back-up. • It was noted that through some of the changes it could mean that impacts to the residential areas on Tigard and Commercial Streets since traffic would be attracted to 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>these streets. Mitigation effort pros and cons were discussed. This might cause additional problems and may not be worth the consequences.</p> <ul style="list-style-type: none"> • Council direction was to proceed with the recommendation to work on cost estimates for a project that would complement the Hall Blvd/99W project. • There was discussion regarding the proposed improvements presented in the Downtown Plan which included the connection with Hunziker and Scoffins to remove the “dog leg.” • Improving Tiedeman/Greenburg Road was discussed, which might encourage people to use an alternate route by traveling on Tigard Street or Commercial Street to get to the downtown area. <p>In conclusion it was noted that none of the alternatives are without problems that will need to be resolved. Mayor Dirksen said it would be necessary to look at some difficult choices.</p>	
Announcement	<p>City Manager Prosser announced that with 3,000 votes counted at this point in time, Measure 34-114 Urban Renewal in Tigard was 63% yes and 37% no.</p>	
6. Update on Streetscape Design Plan	<p>Staff Presenter: Associate Planner Igarta Consultant: Tom Litster, OTAK, Inc.</p> <p>Associate Planner Igarta reviewed the activities of the Streetscape Working Group which was formed to provide guidance and design input through the formation of the Streetscape Design Plan. A public open house is scheduled for May 25, 2006 to present downtown streetscape design concepts to the community. The PowerPoint presentation, along with the staff report and materials for the open house are on file in the City Recorder's Office. The Council was briefed with the project status report, overview of the upcoming open house event, and summary of design concepts for unifying elements, public art, and gateways and public spaces.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Mr. Litster indicated that, in response to a suggestion by Councilor Harding, a review of some of the ideas about City entrance signs might be incorporated into the downtown streetscape plans.</p>	
<p>7. Discuss Revisions to the Tigard Municipal Code to Incorporate a Privilege Tax</p>	<p>Staff Presenter: Right of Way Administrator Werner</p> <p>Right of Way Administrator Werner reviewed the staff report with the City Council. Information providing background on this issue is on file in the City Recorder's Office. Since the December 13, 2005 discussion, staff has reviewed the feasibility of applying a privilege tax to telecommunications providers and other utilities. In each case, any franchise fees paid pursuant to a current franchise agreement would be deducted from privilege tax owed and therefore the tax would generate only an incremental amount over the current franchise fee (or no additional revenue if the tax is set at the same rate as the fee). Advantages and disadvantages of adopting a privilege tax are outlined in the Agenda Item Summary on file in the City Recorder's Office. Council discussion followed with support expressed for the amendment to the Tigard Municipal Code as well as concerns expressed for waiting until the performance audits are completed prior to instituting such a change.</p> <p>It was suggested that this seems to be a "band-aid approach" and the entire picture should be reviewed first. After discussion, the majority consensus of Council was for those utilities that are currently under a franchise agreement or whose franchise agreement expires within the next five years should have their rates maintained at the current franchise fee rate. It was noted that the majority of Council was in agreement to include the water and sewer utilities among those utilities that are charged a franchise fee (transfer the fees due to the General Fund).</p>	
<p>8. City Council Report Card</p>	<p>After discussion, Council consensus was for the City Council Report Card to be presented to be completed by Executive Staff, advisory boards and commissions. The format and questions will first be reviewed by the Citizens for Community</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	Involvement prior to it being distributed. Council indicated that they would like this to be done by June 30. It was noted that this would be public information and made available to the public. It was also suggested that a volunteer be utilized to compile the responses to the report card.	
9. Council Liaison Reports	None.	
10. Non Agenda Items	<p>The presentation on recent firefighter training attended by Mayor Dirksen and City Manager Prosser will be scheduled for June 27, 2006.</p> <p>The joint meeting between the school board and local city councils is tentatively scheduled for June 19, 2006. All City Council members indicated they would be available on this date.</p> <p>Councilor Harding will be attending the Metro Mayors and Chairs Forum on May 19.</p> <p>A meeting of library stakeholders will be held on May 31 in the Washington County Public Services Building. Councilor Sherwood will attend.</p> <p>Council was reminded that the Fifth Tuesday meeting will be held on May 30.</p> <p>Mayor Dirksen said he would like to host a barbecue for Council and staff this summer and it would probably be planned for late August.</p>	
11. Adjournment	9:36 p.m.	

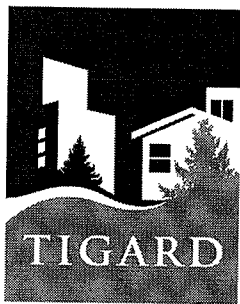
Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date:_____

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MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Cathy Wheatley, City Recorder *Cathy*

RE: Three-Month Council Meeting Calendar

DATE: June 6, 2006

Agenda Item No. 3.2.a
For Agenda of June 13, 2006

Regularly scheduled Council meetings are marked with an asterisk (*).

June

13* Tuesday Council Business Meeting – 6:30 pm, Town Hall
16-18 Fri-Sun Tigard Festival of Balloons
19 Monday Joint Meeting with Tigard-Tualatin School Board; City Councils from
Tualatin, King City, and Durham; 6:30 or 7 (Time TBA) – School District
Offices at 6960 SW Sandburg Street, Tigard, OR 97223 *(Not confirmed)*
20* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
27* Tuesday Council Business Meeting – 6:30 pm, Town Hall

July

4 Tuesday 4th of July Holiday – City Hall Closed
11* Tuesday Council Business Meeting – 6:30 pm, Town Hall
18* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
25* Tuesday Council Business Meeting – 6:30 pm, Town Hall

August

8* Tuesday Council Business Meeting – 6:30 pm, Town Hall
15* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall
22* Tuesday Council Business Meeting – 6:30 pm, Town Hall
29 Tuesday Fifth Tuesday Council Meeting – 7-9 pm, Tigard Water Auditorium

Tigard City Council Tentative Agenda 2006

Agenda Item No. 3.2 b.

Meeting of 6.13.06

Meeting Date: June 13, 2006 Meeting Type/Time: Business/6:30 p.m. Location: City Hall Greeter: Bob Sesnon Materials Due @ 5: May 30, 2006	Meeting Date: June 19, 2006 Meeting Type/Time: TBA Location: School District Headquarters Materials Due @ 5:	Meeting Date: June 20, 2006 Meeting Type/Time: Workshop/6:30 p.m. Location: City Hall Greeter: June 6, 2006 Materials Due @ 5:
Study Session		Workshop Agenda
Exec. Session - City Manager Review - 30 min. Briefing on Emergency Exercise-Dennis - 10 min. Entry Signs - Dennis K. - 15 min. Consent Agenda Approve Bud. Amend. #13 - Michelle W.-RES Forward Urban Ren. Plan to CCDA - Phil N. CCDA - Approve recording Urban Renewal-Phil N LCRB-Award Hall Blvd Sidewalk Contract - Gus D. LCRB - Share of Storm Deb. Dewatering Fac. - Dennis K. Business Meeting Meridian Park Hospital Presentation on Community Resources and Outreach - Liz N.-15 min. Briefing on Emergency Response Exercise Scheduled for June 14 - Dennis K. - 5 min. Approve CIP for FY 06-07 - PH - PPT - Gus 10 Certify City provides Services Qualifying for State Shared Revs - RES - Bob S. - 10 min. Declare City's Election to Receive State Revenues - PH - RES - Bob S. - 10 min. Adopt FY 2006-07 Budget - PH - RES Bob S.- 40 min. Adopt Citywide Master Fees and Charges Schedule - Michelle W. - RES -15 min. Adopt Metro's Temporary Const. Excise Tax Bob S. & Mike Jordan (Metro) - IGA - 15 min. Pelissier Annex. - Tom C./Emily E. ORD- PHQJ 20 min. Time Avail: 135 min. - Time Scheduled: 140 min. Time Left: - 5 min.	Joint Meeting with Tigard-Tualatin School District and Durham, King City and Tualatin	Bull Mt. City Discussion - Craig P. - 30 min. Community Survey Results - Tom C.- 45 min. Metro Poll on Attitudes Toward Growth and Land Use - Tom C. - 10 min. Downtown Implementation Strategy - Tom C./Phil N. - 45 min. Report on MTIP projects - Duane R. & Phil N.- 15 min. Time Avail: 200 min. - Time Scheduled: 145 min. Time Left: 55 min.

Tigard City Council Tentative Agenda 2006

Meeting Date: June 27, 2006 Meeting Type/Time: Business/6:30 p.m. Location: City Hall Greeter: Greeter: Materials Due @ 5: June 13, 2006 Councilor Woodruff will not be attending	Meeting Date: July 11, 2006 Meeting Type/Time: Business/6:30 p.m. Location: City Hall Greeter: Tom I. Materials Due @ 5: June 27, 2006	Meeting Date: July 18, 2006 Meeting Type/Time: Workshop/6:30 p.m. Location: City Hall Greeter: Greeter: Materials Due @ 5: July 3, 2006 City Manager Prosser Absent
Study Session	Study Session	Workshop Agenda
Executive Session - Update on Park and Open Space Acquisition - Dennis K. - 15 min. Review Council Groundrules - Craig P. - 15 min.		Comprehensive Plan Update: Citizen Issues and Values Summary - Beth St. A
Consent Agenda	Consent Agenda	
Senior Center Lease Renewal - Loreen M. Authorize Submittal of MTIP Project Proposals - Duane R. - RES	LCRB - Award Contract for Hall Blvd. Sidewalk (Spruce St.) - Gus D.	
Business Meeting	Business Meeting	
Summary - Community Survey Results - Tom C. - 20 min. Report on TVF&R Community Academy - Craig D., Craig P. - 20 min. Amend Ordinance 06-04's Map to Match Wilson Ridge Legal Desc. -Tom C.- ORD - 5 min. Adopt TMC amendment re Alcohol in City Parks Dennis K. - 10 min. - ORD	Briefing on Walnut Street TVF&R Station - Bill D.& TVF&R Asst. Chief LeSage PPT - 30 min Approve TMC Revisions Incorporating a Privilege Tax - Nancy W. - 25 min. - ORD Approve TMC Revisions Incorporating a ROW - Preservation & Restoration Policy - Nancy W.- 25 min. - ORD	
Time Avail: 135 min. - Time Scheduled: 55 min. Time Left: 80 min.	Time Avail: 135 min. - Time Scheduled: 80 min. Time Left: 55 min.	Time Avail: 200 min. - Time Scheduled: 30 min. Time Left: 170 min.

Tigard City Council Tentative Agenda 2006

Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	July 25, 2006 Business/6:30 p.m. City Hall July 11, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5: City Manager Prosser Absent ?	August 8, 2006 Business/6:30 p.m. City Hall July 25, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5: City Manager Prosser Absent ?	August 15, 2006 Workshop/6:30 p.m. City Hall August 1, 2006
Study Session		Study Session		Workshop Agenda	
		City Manager Review - 30 min. SI		Review Council Groundrules - Craig P. - 15 min. SI (or July Workshop)	
Consent Agenda		Consent Agenda			
Approve Volunteer Worker's Compensation Coverage - Loreen M					
Business Meeting		Business Meeting			
2nd Quarter Goal Update - Craig P./Joanne - 5 min. Authorize Submittal of Transportation Enhance. Grant Program Proposal - Tom C.- 5 min.- RES Rider Annexation - Tom C. - PHJQ -ORD - 30 min.					
Time Avail: 135 min. - Time Scheduled: 40 min. Time Left: 95 min.		Time Avail: 135 min. - Time Scheduled: min. Time Left: min.		Time Avail: 200 min. - Time Scheduled: 15 min. Time Left: 185 min.	

FIFTH TUESDAY MEETING – May 30, 2006

Present: Mayor Dirksen
Councilor Woodruff
Councilor Harding
Councilor Sherwood

Facilitator: Stacie Yost
Staff: Carol Krager

Citizens: David Noles, 10630 SW Park Street, Tigard
Terry Weese, 10600 SW Park Street, Tigard
Gretchen Buehner, 13249 SW 136th Place, Tigard
Clayton Pugsley, 10570 SW Park Street, Tigard
Cleon Cox
Two students from Hillsboro High School (Martha and Roy) on an assignment to attend a public meeting

The meeting started at 7:02 p.m.

Facilitator Yost welcomed everyone to the meeting and gave the ground rules. She noted that a change to the meeting is that Deputy City Recorder Krager will be taking minutes and the meeting will be taped so that action items can get back to staff quickly. She announced the agenda:

- Planning Code Changes
- Police Services Survey on Unincorporated Areas

PLANNING CODE CHANGES -

David Noles, 10630 SW Park Street, spoke about changes he'd like to see in the Planning Code. He brought in photos of the view from his kitchen window showing his back yard in 1998 and in the present. The neighbor behind him (10635 SW Cook Lane) has built a large, steel, 30' x 40', 18' tall structure. He said he did not like viewing this building from his backyard deck and felt none of the Councilors would like to look at this structure all summer long either.

Councilor Sherwood asked if it was a storage shed. Mr. Noles said it was a shop.

Mr. Noles asked, "Is this is the direction that Tigard is heading?" He said that by allowing this type of structure, Tigard decreases the livability of the city and compromises the aesthetic nature of our residential areas. He realizes there is nothing he can do now about this building but wants to save someone else the grief by changing the Code to prevent this from happening.

He noted that as sewer districts are going in, people on older, larger lots no longer need their drain fields. He said all they have to do is hook up to the sewer and they can use the rest of their lot for a construction zone.

Councilor Sherwood asked if the neighbor had to get permits and Mr. Noles said he met the Code. He said this is why he wants to close the loophole in the Code that allows a property owner to build any type of structure in their yard and simply attach it to their dwelling with a 4' covered walkway. He said it is then not an accessory structure, but an addition to the home.

He said he was working with City staff member Mark VanDomelen this afternoon and who also expressed frustration with the vagueness of the Code and suggested that he speak with Dick Bewersdorff. Mr. Noles would like the Code to replace the 4' breezeway section and require that any addition be attached to the house with a common wall and be of the same material as the house, both roofing and siding, and require windows so it at least looks residential.

Mayor Dirksen said that even if it's a business and we try to prevent the running of that business, the building will still be there. Mr. Noles said it is not the size the building that is an issue as much as making it look like it belongs in a residential neighborhood.

Councilor Sherwood said we need to change the definition of "attached" in the Code. The radio towers on Bull Mountain were discussed.

Mayor Dirksen said that in response to the initial question about whether this is the direction Tigard is going, the answer is no. He said the City has not changed anything where this was not allowed previously and now it is. He said that it is just that time has gone by and there are constraints on property. He said the difficulty with changing the Code to react to this is that they'll figure out another loophole to get around it in the future. He said the City staff could spend all their time trying to plug loopholes but it is a difficult way to deal with things instead of trying to be proactive.

Mr. Noles phoned surrounding cities (Tualatin, Durham, Sherwood, and Wilsonville) and asked what would happen if he requested a permit to build a 1200 square foot, 19 foot tall building. The reaction he received was that he probably couldn't do that because their lots are not big enough. Mayor Dirksen said all the cities mentioned do have some properties of that size, but they are rare.

Clayton Pugsley, 10570 SW Park Street, presented a photograph of the view from his backyard. The large metal building appears in it as well as a temporary metal structure in the next yard. He said he was getting the full bore of a welding business going on there. He said the people (on 10605 SW Cook Lane) came in, hooked up to the sewer, and then covered half of their lot with 4" of concrete. They built a temporary shelter, and opened up a welding business. The fluorescent light is on 24/7 and lights up his whole back yard all night long. The residents are welding and grinding and he sees the flash of arc welding from his yard.

Mayor Dirksen asked, "How are they doing this? This is a residential area." He said this is a code enforcement issue.

Terry Weese, 10600 SW Park Street, said the people say they are not running a welding business, and that this is for their personal use. He said he has already been through this when they first started putting up the temporary structure. He showed the Council a digital photo of a Porsche on a forklift that was being cut apart in their backyard. He asked, "Who has a commercial forklift in their backyard?"

Councilors Harding and Sherwood agreed that they're running a business.

Mr. Weese showed a photo of the five foot distance between his fence and the shop, stating that it does not meet the setback code. Councilor Woodruff asked what City staff have said to him. Mr. Weese complained that he's not getting anything from them.

Mr. Weese pointed out in the photo a snorkel coming from the steel building behind Mr. Noles' property. He said that owner is running a spray booth, noting that neighbors have to listen to the noise and smell fumes.

Mayor Dirksen asked for the address and Councilor Woodruff verified that these are two different properties. Mr. Weese said they were, one behind his home and the other behind Mr. Noles' home. He showed the Council photos of four utility trailers in the back yard of 10605 SW Cook Lane and enough axles to build seven more. He said there was a dump truck in their back yard last week they were welding on and seven people outside welding the day prior.

Mayor Dirksen said they can say what they want but they are obviously running a business and we will get code enforcement after them.

Councilor Harding said they may be breaking the noise ordinance as well.

Facilitator Yost summarized their main issues:

- Code enforcement as far as noise and fumes
- Businesses in residential areas
- Structures
- Loophole in the Code regarding breezeways
- 5' setback of the temporary building

Councilor Harding said staff needs to investigate this without leveling charges from neighbors. She felt this is a City issue and there is no need to have retaliation problems.

Mr. Noles said as far as he could tell, the large structure's owner builds cabinets and does not have a business license. The owner said he does business under the name of "Oak Things". They've made contacts at DEQ about the fume problem but DEQ does not show a business under this name in their system. Mr. Noles visited the structure a few weeks ago and saw thousands of dollars in equipment, grinders, saws, planers and joiners. Irene

Mawhirter, 13960 SW 100th is the owner of record. Mayor Dirksen asked if there a regular residential house on the property. Mr. Weese indicated there was.

Mr. Weese said the last time he spoke with Code Enforcement Officer Darnell she told him the welders were just doing landscaping trailers for themselves and his family was helping him. He has given her a disk of photos showing multiple trailer axles, multiple trailers, and items being stored there for commercial use. He said he was basically told to mind his own business; they could do what they wanted.

Mr. Weese said they do this work at any time they want. He has yelled over the fence at 11:00 p.m. asking them to knock it off. Mayor Dirksen said he should call the police if it's after 7:00 p.m. and reiterated the City's noise policy. Mr. Weese noted that they also have a pot-belly stove and burn garbage in it outside as well.

Councilor Sherwood said this is not what we intended with our sewer project. Mr. Noles said as this goes on more people will be heartbroken to see these things going up in their neighborhoods. He offered his help to the City on working through a Code change.

Mayor Dirksen assured the residents that this will be brought to the attention of staff.

POLICE SERVICES SURVEY -

Gretchen Buehner brought this to the Council's attention because she felt the data is incorrect and is being used by the County in a way that is detrimental to the cities. She has spoken with police who indicate that they spend 50% of their time in Beaverton responding to things they see on the way to a call in West Slope or Garden Home. She was told the City needs to do its own research. She suggested an audit. She felt Tigard Police answer more calls outside the city than the Enhanced Patrol answers for our area. She spoke to an officer whose district is Scholls Ferry south to the County line but who spends 25% - 50% of his time in Beaverton answering calls.

Mayor Dirksen said the City has already told the County we feel the survey is invalid because they don't consider total taxation. Residents of Tigard pay County taxes and City taxes. Councilor Sherwood suggested an outside auditor be brought in. Mayor Dirksen thought perhaps the State or Metro could do it.

Councilor Woodruff said we are doing an outside audit of the police time and perhaps it could be added to that scope of work.

Ms. Buehner asked the Council to look at the time Tigard Police spend in Bull Mountain or Metzger. Mayor Dirksen said it was negligible.

HIGH SCHOOL VISITORS -

Two students from Hillsboro High School attended the meeting as part of a school assignment on public meetings. Mayor Dirksen explained the Council meeting schedule and how the Fifth Tuesday meetings came about.

They asked the Mayor what were the biggest issues discussed at Council meetings. Mayor Dirksen said, as discussed at this meeting, in-fill and the pace of development were major issues. He also spoke about the Urban Renewal District for the downtown area.

INITIAL REACTION TO WILLAMETTE RIVER WATER –

Councilor Woodruff asked the Tigard residents present what their initial reaction would be to Tigard obtaining water from the Willamette River. He said Tigard just signed a 10-year contract with the City of Portland for a portion of our water but we are looking at other options. Drawing water from the Willamette is one option. Of the citizens present, four said yes and one said no. Councilor Woodruff explained, after some water-quality concerns were raised by Mr. Weese, that the water would come from the Willamette above the Oregon City falls. Mr. Weese felt that water below the falls would not be acceptable and suggested that telling people where on the Willamette the water would come from was an important point. He indicated his earlier vote was because he thought the water would be pulled from the lower Willamette. Ms. Buehner felt the Willamette River water would be better than Bull Run water. Mr. Noles is concerned about the Bull Run watershed's vulnerability to terrorists. Mr. Pugsley felt that as any water would have to meet Federal requirements, he would be OK with Willamette River water.

As there were no other discussion items or citizens wishing to speak, the meeting was adjourned at 7:55 p.m.

Agenda Item #
Meeting Date

3.3
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #13 to the FY 2005-06 Budget to Increase Appropriations in the City Attorney Division.

Prepared By: Michelle Wareing Dept Head Okay RHS City Mgr Okay cl

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Shall the City Council approve Budget Amendment #13 to increase appropriations in the City Attorney budget to fund additional costs related to labor contract negotiations, Land Use Board of Appeals (LUBA) filings, and the downtown plan?

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #13.

KEY FACTS AND INFORMATION SUMMARY

This amendment to the City Attorney budget is necessary due to additional attorney costs for union contract negotiations and unanticipated land use appeal issues. Council has been briefed on these issues at previous Executive Sessions.

The budgeted amount for City Attorney is \$233,800. Actual attorney costs for invoices received through March 31, 2006 are \$218,426. There are still three months of attorney costs to be incurred. Staff have reviewed their attorney costs year-to-date and estimated what they believe their attorney costs will be for the next three months based on the legal issues they are dealing with currently and what they anticipate will become a legal issue.

This budget amendment will increase appropriations in the City Attorney budget by \$97,000 and reduce the Central Services Fund Contingency by the same amount.

OTHER ALTERNATIVES CONSIDERED

None considered, insufficient appropriations available.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

None

ATTACHMENT LIST

Resolution including Attachment A

FISCAL NOTES

This resolution will transfer \$97,000 from the Central Services Fund Contingency to the City Attorney Division Budget.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION APPROVING BUDGET AMENDMENT #13 TO THE FY 2005-06 BUDGET TO INCREASE APPROPRIATIONS IN THE CITY ATTORNEY DIVISION.

WHEREAS, the City has experienced additional costs due to union contract negotiations and unanticipated Land Use Board of Appeals (LUBA) filings; and

WHEREAS, the adopted FY 2005-06 budget for City Attorney expenditures is not sufficient to cover the total estimated attorney costs; and

WHEREAS, it is necessary to amend the FY 2005-06 Budget to increase appropriations to fund these additional expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2005-06 Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution to increase appropriations in the City Attorney Division budget, General Government, in the amount of \$97,000 and to decrease the Central Services Fund Contingency by the same amount.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Attachment A
FY 2005-06
Budget Amendment # 13

FY 2005-06 Revised Budget	Budget Amendment # 13	Revised Revised Budget
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Central Services Fund

Resources

Beginning Fund Balance	\$1,314,517		\$1,314,517
Interest Earnings	30,000		30,000
Transfers In from Other Funds	4,638,892		4,638,892
Total	\$5,983,409	\$0	\$5,983,409

Requirements

Policy & Administration Program	4,153,837		4,153,837
General Government	417,682	97,000	514,682
Program Expenditures Total	\$4,571,519	\$97,000	\$4,668,519
Debt Service	\$0		\$0
Capital Improvements	\$0		\$0
Transfers to Other Funds	\$201,077		\$201,077
Contingency	\$668,035	(\$97,000)	\$571,035
Total Requirements	\$5,440,631	\$0	\$5,440,631
Ending Fund Balance	542,778		542,778
Grand Total	\$5,983,409	\$0	\$5,983,409

AGENDA ITEM # 3.4
FOR AGENDA OF June 13, 2006

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Forward the Urban Renewal Plan and Ordinance Adopting the Plan to the Urban Renewal Agency (CCDA) for recording.

PREPARED BY: Phil Nachbar DEPT HEAD OK TC CITY MGR OK CP

ISSUE BEFORE THE COUNCIL

Shall the City Council forward the Urban Renewal Plan to the Urban Renewal Agency (CCDA) to take actions to record the Plan.

STAFF RECOMMENDATION

Pass a motion to forward the Urban Renewal Plan to the Urban Renewal Agency (CCDA) for appropriate action.

INFORMATION SUMMARY

Council has approved and adopted the Urban Renewal Plan. On May 16, 2006, voters approved the use of Tax Increment Financing. ORS 457.095 requires that Council take action to have the plan recorded by forwarding the Plan to the Urban Renewal Agency (CCDA).

OTHER ALTERNATIVES CONSIDERED

Non-Action would result in the inability to utilize an Urban Renewal District in Downtown.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Community Character & Quality of Life: CBD Goal: Provide opportunities to set the course for the future of the Central Business District. Strategy: Develop Strategies for Public Improvements in the Central Business District. Planned Actions: Develop a Plan for an Urban Renewal District and send to voters for approval.

ATTACHMENT LIST

None.

FISCAL NOTES

The fiscal impacts of Urban Renewal have been reviewed previously by City Council without objection.

Agenda Item #

35a.

Meeting Date

June 13, 2006

CITY CENTER DEVELOPMENT AGENCY AGENDA ITEM SUMMARY

City of Tigard, Oregon

Issue/Agenda Title Meeting of City Center Development Agency (CCDA) to direct Staff to take action to have the Urban Renewal Plan recorded by Washington County.

Prepared By: Phil Nachbar Dept Head Okay TC Agency Mgr Okay cl

ISSUE BEFORE THE CCDA AND KEY FACTS

Shall the City Center Development Agency (CCDA) direct staff to record the Urban Renewal Plan with Washington County.

STAFF RECOMMENDATION

As the CCDA, pass a motion to record the Urban Renewal Plan with Washington County.

KEY FACTS AND INFORMATION SUMMARY

Council has approved and adopted the Urban Renewal Plan. On May 16, 2006, voters approved the use of Urban Renewal within the adopted Urban Renewal District. ORS 457.125 requires that an Urban Renewal Agency (CCDA) take actions to have an Urban Renewal Plan recorded by the appropriate County. In order to fulfill this requirement, the CCDA must pass a motion directing Staff to take action to have the Plan recorded.

OTHER ALTERNATIVES CONSIDERED

Non-Action would result in the inability to utilize an Urban Renewal District in Downtown.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Community Character and Quality of Life – Central Business District, Goal No. 1: Provide opportunities to work proactively with the Tigard Central Business District Association, business and property owners, and citizens of Tigard to set the course for the future of the Central Business District.

Strategy: Develop Strategies for Public Improvements in the Central Business District. Planned Actions: Develop a Plan for an Urban Renewal District and send to voters for approval.

ATTACHMENT LIST

None.

FISCAL NOTES

The fiscal impacts of Urban Renewal have been reviewed previously by City Council without objection.

AGENDA ITEM # 3.6 a.
FOR AGENDA OF June 13, 2006

CITY OF TIGARD, OREGON
LOCAL CONTRACT REVIEW BOARD
AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of Contract for the Construction of Hall Boulevard Sidewalk (at Bonita Road)
PREPARED BY: Vannie Nguyen *MC for* DEPT HEAD OK: Agustin P. Duenas *ap Duenas* CITY MGR OK: Craig Prosser *CP*

ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the Local Contract Review Board approve the contract award for the construction of the Hall Boulevard Sidewalk project?

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to All Concrete Specialties, Inc. in the amount of **\$52,481.00** and authorize an additional amount of **\$5,248.00** to be reserved for contingencies and applied if needed as the project goes through construction. The total amount committed to the project is therefore **\$57,729.00**.

INFORMATION SUMMARY

This project proposes to construct a concrete sidewalk 68 feet long by 6.5 feet wide on the west side of Hall Boulevard across from Bonita Road. The project also includes an asphaltic concrete paved shoulder to provide a smooth transition between the existing ground and the new sidewalk. This new section of sidewalk will enhance the existing bus stop location for TriMet bus passengers. During rainy days, poor drainage and the unpaved surface result in standing water, which dries to leave behind significant mud accumulation at this bus stop location.

The original Engineer's estimate was \$32,000. In order to obtain a minimum of three (3) competitive quotes for the project, on April 20, 2006 staff invited four contractors to submit bid proposals. However, in response to the invitations, only All Concrete Specialties (ACS) and CR Woods Trucking turned in their bids. The lowest bid of \$51,269.00 was submitted by ACS. Since there were less than three (3) bids submitted, staff decided to reject all bids and opted for a formal and sealed bid process to attract more competitive bids.

The project was advertised for bids on May 16 and May 18, 2006 in the Daily Journal of Commerce and the Times respectively. No addendum was issued for the project. Bids were opened on May 30, 2006 at 2:00 P.M. and the bid results are:

CR Woods Trucking	Newberg, OR	\$68,903.30
S2 Contractors	Aurora, OR	\$63,458.00
All Concrete Specialties, Inc.	Vancouver, WA	\$52,481.00
Engineer's Estimate Range		\$45,000 to 55,000

The Engineer's estimate was revised to reflect high unit bid prices for the small size of the project. In addition, the ODOT standard detail for catch basin requires the contractor to construct a cast-in-place structure, which is labor

intensive and adds cost to the project. The low bid submitted by All Concrete Specialties, Inc. appears to be reasonable. Staff recommends approval of the contract award to All Concrete Specialties, Inc.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The project meets the Tigard Beyond Tomorrow Transportation and Traffic Goal of "Alternative modes of transportation will be available and maximized."

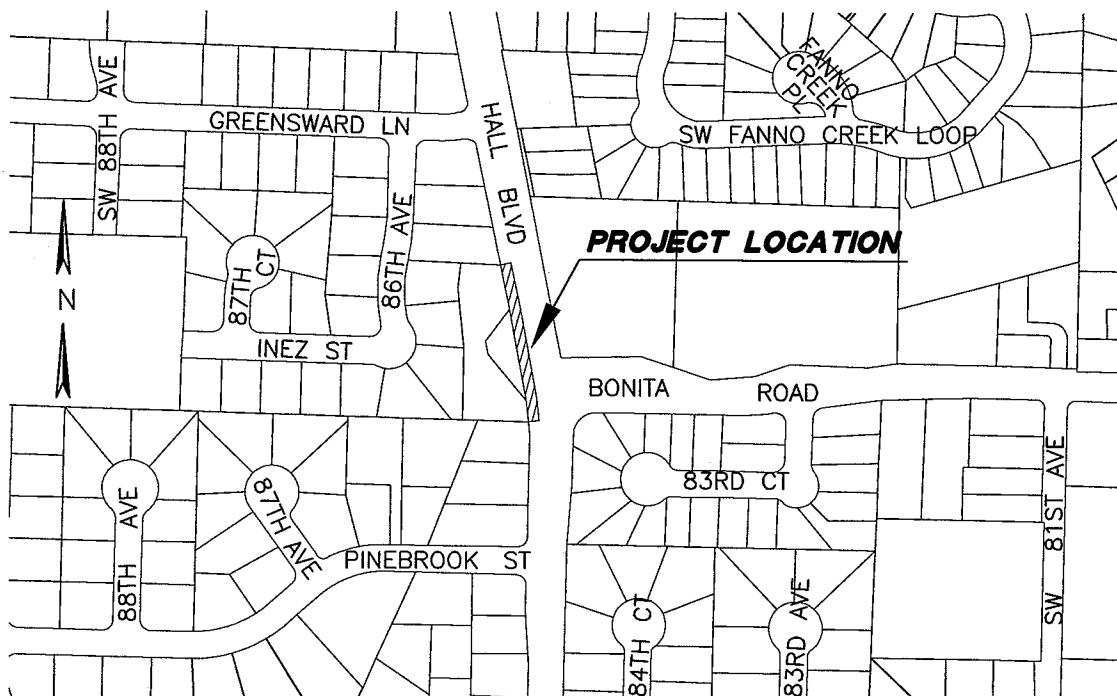
ATTACHMENT LIST

Project location map.

FISCAL NOTES

The amount of **\$75,000.00**, which is available in the FY 2005-06 CIP under the Gas Tax Fund, is sufficient to award a contract of **\$52,481.00** to All Concrete Specialties, Inc. and reserve a contingency amount of **\$5,248.00** for the construction of the project.

HALL BOULEVARD SIDEWALK INSTALLATION AT BONITA ROAD



PROJECT LOCATION MAP

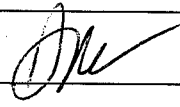

NOT TO SCALE

Agenda Item #
Meeting Date

3.7
June 13, 2006

LOCAL CONTRACT REVIEW BOARD AGENDA ITEM SUMMARY
City of Tigard, Oregon

Issue/Agenda Title Storm Debris Dewatering Facility

Prepared By: Dennis Koellermeier Dept Head Okay  City Mgr Okay 

ISSUE BEFORE THE LCRB AND KEY FACTS

Should the Council approve Tigard's share of the joint storm debris dewatering facility?

- This facility is a joint effort between the Cities of Tigard, Tualatin and Sherwood.
- The new facility will reduce costs associated with the disposal of storm debris.
- Tigard's budgeted share of the project was \$85,000; Tigard's actual share is \$73,982.

STAFF RECOMMENDATION

Approve the expenditure to cover Tigard's share of the cost for the new storm debris dewatering facility.

KEY FACTS AND INFORMATION SUMMARY

Storm debris dewatering facilities serve as a "holding area" for storm water waste like leaves, garbage, rocks and roadside debris. In a dewatering facility, this waste is left to drain and is subsequently disposed of by special permit at the Hillsboro landfill. Storm debris disposal costs are based on weight and the cost is approximately \$90 per ton. Currently, Tigard disposes of storm debris at the City of Beaverton's facility, which is uncovered and lacks the capacity to process the amount of debris currently being dumped there.

The new facility, located at the City of Tualatin's operation center, is covered and is designed to accommodate the storm debris generated by the three cities involved in this project: Tigard, Tualatin and Sherwood. Because the new facility is covered and will be protected from rain, waste material will drain better and will weigh less upon disposal, resulting in lower costs.

OTHER ALTERNATIVES CONSIDERED

The City considered constructing its own facility, but a lack of space prohibited that option. Also, a Tigard facility would have been substantially more expensive.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Council Goals – Other Important Goals for 2006

Stabilize Financial Picture - Take appropriate action to control costs

Tigard Beyond Tomorrow 2005 - Water and Stormwater Goal #3 - "Stormwater runoff is effectively managed."

ATTACHMENT LIST

None

FISCAL NOTES

This facility was originally approved in the FY 04/05 CIP budget. Due to construction delays, the project was postponed and funds were carried over to the FY 05/06 CIP budget. The current budget contains \$85,000 for the project; Tigard's actual cost will be \$73,982. The total facility cost will be \$176,913.

Agenda Item #
Meeting Date

4
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/ Agenda Title: Meridian Park Hospital Presentation On Community Resources & Outreach

Prepared By: Liz Newton Dept Head Okay CL City Mgr Okay CL

ISSUE BEFORE THE COUNCIL AND KEY FACTS

A report on community resources available through Legacy Health System's Meridian Park Hospital.

STAFF RECOMMENDATION

No action required – information only.

KEY FACTS AND INFORMATION SUMMARY

Legacy Health System's Meridian Park Hospital serves the Tigard - Tualatin area with emergency and non-emergency health care. In addition, a number of preventive and wellness programs and other resources are provided to the community.

Hospital Administrator, Allyson Anderson, will present information on resources provided to the community through Meridian Park Hospital.

OTHER ALTERNATIVES CONSIDERED

None

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

2006 City Council Goals:

- Improve Communication and Relationship with Citizens

ATTACHMENT LIST

None

FISCAL NOTES

N/A

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Agenda Item #
Meeting Date

5
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Brief the Council on the June 14 Emergency Response Exercise

Prepared By: Dennis Koellermeier Dept Head Okay  City Mgr Okay 

ISSUE BEFORE THE COUNCIL AND KEY FACTS

- On Wednesday, June 14, the City of Tigard will test its Emergency Operations Plan by staging a practice exercise.
- Citizens may see emergency responders participating in the drill on this day.
- Although some aspects of the exercise will impact City services, the City will remain open throughout the drill.
- This full-scale training exercise will assess the City's ability to respond to and provide critical services during an emergency.

STAFF RECOMMENDATION

Listen to the presentation. No action is required.

KEY FACTS AND INFORMATION SUMMARY

On Wednesday, June 14, 2006, several mock terrorist incidents will take place in and around Washington and Columbia Counties. Responders from the two counties, TVF&R, and the cities of Tualatin, Tigard, Hillsboro, Beaverton and Forest Grove are participating in the exercise, dubbed "TipOff." This exercise is specifically designed to evaluate the interagency response to terrorism and familiarize emergency responders with their roles in the event of a terrorist attack. However, the knowledge and experience gained from the training can be applied to any type of emergency or disaster.

TipOff is supported by the federal government's Department of Homeland Security and funded by Oregon's Homeland Security Grant Program. TipOff is a prelude to the national "TopOff" exercise planned for fall of 2007. Tigard will also participate in this Portland-based emergency response exercise.

The City has informed the community about this exercise through two articles in *Cityscape* and, with this meeting, two televised presentations to the Council. Citizens directly impacted by the training have received or will receive a door hanger and a recorded reverse 911 call notifying them of the exercise.

In order for the exercise to be as realistic as possible, further details of the training are not being released.

OTHER ALTERNATIVES CONSIDERED

None.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Tigard City Council, Other Important Goals for 2006

Improve Communication and Relationship with Citizens

Tigard Beyond Tomorrow, Public Safety

Goal #2: The community will be trained and prepared for emergencies

Strategy #2: Coordinate Tigard emergency response providers.

ATTACHMENT LIST

None.

FISCAL NOTES

The exercise, estimated to cost \$12,000, is fully funded through a state Homeland Security Grant.

AGENDA ITEM # 6
FOR AGENDA OF June 13, 2006

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE FY 2006-07 Community Investment Program

PREPARED BY: A.P. Duenas

DEPT HEAD OK [Signature]

CITY MGR OK cl

ISSUE BEFORE THE COUNCIL

Adoption of the FY 2006-07 Community Investment Program and approval of the FY 2006-07 projects and budget.

STAFF RECOMMENDATION

That Council, by motion, adopt the FY 2006-07 Community Investment Program (CIP), the CIP projects, and budget as described in the attached memorandum dated May 24, 2006 with appendices A, B, B-1 through B-6 and C.

INFORMATION SUMMARY

Attached is a memorandum dated May 24, 2006 transmitting the FY 2006-07 Community Investment Program (CIP). This memorandum, with appendices, presents the recommended projects for FY 2006-07 and a tentative list of projects for the subsequent four years. The FY 2006-07 CIP was approved by the Planning Commission at its meeting on May 15, 2006. It was approved by the Budget Committee with several changes also on May 15, 2006. The FY 2006-07 CIP with revisions incorporated is hereby submitted to City Council for review and approval. The adopted program would be the City's Community Investment Program for FY 2006-07.

OTHER ALTERNATIVES CONSIDERED

N/A

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The projects in the FY 2006-07 CIP strongly support the Council goals to "Implement Downtown Plan" and "Improve 99W Corridor." In addition, specific projects in the various systems support other important Council goals for 2006. In general, the projects in the FY 2006-07 CIP all promote the Tigard Beyond Tomorrow goals in Growth and Growth Management, Transportation and Traffic, Urban and Public Services and Community Character and Quality of Life.

ATTACHMENT LIST

Memorandum dated May 24, 2006 with appendices A, B, B-1 through B-6 and C.

FISCAL NOTES

The specific projects and project funding for each project are as shown on the project lists. The adopted CIP will be effective July 1, 2006.

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MEMORANDUM

TO: Mayor and City Councilors

FROM: Agustin P. Duenas, P.E. *[Signature]*
City Engineer

RE: FY 2006-07 Community Investment Program

DATE: May 24, 2006

The City of Tigard's Capital Improvement Program has been renamed the Community Investment Program. The implementation of capital improvement projects is a major investment in the community, and the new name better conveys that concept to the citizens of Tigard. This document presents the proposed FY 2006-07 Community Investment Program (CIP) projects for review and approval.

Background

The CIP includes improvements to the streets, storm drainage, sanitary sewer, water, parks, and city facilities systems. The program is developed through a process separate from the City's Operating Budget formulation process, and is reviewed and approved each year by the City Council. It is formulated early in the fiscal year so that it can be integrated into the City's overall budget process for approval. The program submitted to the City's Budget Committee, the Planning Commission and City Council is a five-year program with the first year's program described in detail. While the program lists projects for subsequent fiscal years, the projects shown are tentative and are subject to change during the formulation process for each specific budget year. The CIP, through the adoption process, establishes the budget for the upcoming fiscal year and serves as a planning document to guide the infrastructure improvements over the following four years. During each budget year's update, the revenue estimates are adjusted, the project cost estimates are reviewed, and the program and project priorities are re-evaluated based on changes in City plans, citizen input, and additional data which may become available.

Process

The program update process for FY 2006-07 began in October 2005 with preparation by City staff of a draft project list based on the City's priorities at that time. The formal formulation process began December 7, 2005 with the first of two Citywide meetings to receive input from the public on the draft list of projects. At the first meeting, City staff

presented the draft list, answered questions, and received suggestions for additional projects. The draft list was posted on the City's website on the same day.

The second Citywide meeting was conducted on January 25, 2006. Prior to the meeting, responses were prepared addressing all comments received. A revised draft list was presented at the second meeting. Presentations to the Planning Commission on March 6, 2006 and to City Council on March 21, 2006 provided opportunities for those two bodies to provide input into the CIP.

The formal presentations of the FY 2006-07 CIP are as follows:

Budget Committee	May 8, 2006 (completed as scheduled)
Planning Commission	May 15, 2006 (completed as scheduled)
City Council	June 13, 2006
Adoption	June 13, 2006

The Budget Committee and Planning Commission reviews provided opportunities for public comment on the proposed project list. The final project list with modifications incorporated is hereby submitted for Council consideration and adoption at the June 13, 2006 meeting. Council may make additional modifications to the program prior to adoption. Implementation of the projects in the adopted program can begin anytime on or after July 1, 2006.

FY 2006-07 Projects

The CIP includes projects under the following system programs:

- ◆ City Facilities System Program
- ◆ Parks System Program
- ◆ Sanitary Sewer System Program
- ◆ Street System Program
- ◆ Storm Drainage System Program
- ◆ Water System Program

Appendix A describes the projects and lists the corresponding funding sources under the various programs for FY 2006-07. The Council goals to revitalize the Tigard Downtown area, continue to seek improvements for Highway 99W, acquire land for greenspaces and parks, and address growth are emphasized in the selection of projects for FY 2006-07 and the subsequent four years.

Significant Changes in the Proposed Project Lists

The following changes made by the Budget Committee are reflected in the final project lists:

- The project to consolidate the Public Works staff in the Water Building by upgrading and renovating the building (proposed for funding under the City

Facilities System Program in the amount of \$630,000) was removed from the CIP budget pending submittal of additional information to City Council on the need for, and full scope of, the project. Contingency amounts have been placed in reserve in the Water, Sanitary and Stormwater Funds to allow for a budget amendment to reinstate the project, should Council decide to do so.

- No funds are to be spent on the Senior Center Remodel project (proposed for funding under the City Facilities System Program in the amount of \$200,000) unless a Community Development Block Grant (CDBG) is awarded for the work, or the project design is a requirement for award of the grant for the project. Staff will have to schedule a briefing to Council on further details regarding this project.
- The design for a proposed traffic signal system at the Tigard Street/Main Street intersection was added to ensure that the signal system is coordinated with the design of the signalized crossing gates for the Main Street railroad crossings to be installed as part of the Commuter Rail project. The project design for the Commuter Rail project is nearing completion and each street crossing is being addressed in detail. The railroad crossings at Main Street and the allowable turning movements are still under discussion among TriMet, Oregon Department of Transportation and the City. The construction of the crossing gates is expected to begin in early FY 2007-08.

The Five-Year CIP

Appendix B provides an introduction to the Five-Year CIP. Appendices B-1 through B-6 present the Five-Year CIP projects beginning with FY 2006-07 and ending with FY 2010-11.

Unfunded Projects

The establishment of the Street Maintenance Fee provides a stable source of revenue for the City's street maintenance needs. However, the City still lacks a significant source of revenue (beyond the current Traffic Impact Fee revenue) for street expansion projects. The State Gas Tax has not been increased during the past decade. As operating and materials costs increase, the amount available from the Gas Tax Fund is expected to decrease each year.

Appendix C shows some of the major projects in streets, parks acquisition, and storm drainage that will not have adequate funding over the next few years. The list provided is not all inclusive but provides an indication of the level of funding required to address some of the projects needed over the next few years.

APPENDICES

- Appendix A: *FY 2006-07 Community Investment Program Projects*
 - Appendix B: *Five-Year Community Investment Program Plan*
 - Appendix B-1: *City Facilities System Program*
 - Appendix B-2: *Parks System Program*
 - Appendix B-3: *Sanitary Sewer System Program*
 - Appendix B-4: *Street System Program*
 - Appendix B-5: *Storm Drainage System Program*
 - Appendix B-6: *Water System Program*
 - Appendix C: *Unfunded Projects*
- c: Craig Prosser, City Manager
Bob Sesnon, Finance Director
Tom Imdieke, Financial Operations Manager
Dennis Koellermeier, Public Works Director
Tom Coffee, Interim Community Development Director
Vannie T. Nguyen, CIP Division Manager

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APPENDIX A

FY 2006-07 Community Investment Program Projects

Report - Project Details by Type
CIP Year: FY 2006-07

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City Facilities System Program	\$1,214,197
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Audio/Visual Control System for Council Chambers	\$83,000
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cip year: FY 2006-07

Facility Fund

\$83,000

status: Proposed

description:

This project is carried over from FY 2005-06 for the provision and installation of audio, visual, and control systems for the Tigard City Council Chambers.

Card Reader Installation	\$18,500
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cip year: FY 2006-07

Facility Fund

\$18,500

status: Proposed

description:

The City has several IDF or network wiring rooms throughout its facilities. The FBI is requiring that all IDF rooms be accessed via a card reader system. This project installs card readers at each IDF room and replaces the one at the Library coffee bar.

City Facility Security Upgrades	\$10,000
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cip year: FY 2006-07

Facility Fund

\$10,000

status: Proposed

description:

City facilities are access controlled by a combination of key entries and electronic card entries. The current key system patent will expire in 2007, which will require the City to implement a new key system. In addition, the City desires to install additional card reader entries to reduce the number of entries with key access. This effort will provide better overall access control.

This upgrade will be phased in over several fiscal years.

Citywide Facility Master Plan	\$50,000
--------------------------------------	-----------------

cip year: FY 2006-07

Facility Fund

\$50,000

status: Proposed

description:

This project provides funding for a consultant to prepare a Master Plan for City Hall buildings and determine if remodeling of the buildings would be required. The project also includes extra funding to finance the remodeling if needed.

Commuter Rail Station Enhancement	\$100,000
--	------------------

cip year: FY 2006-07

Facility Fund

\$100,000

status: Proposed

description:

The proposed 14.7-mile Commuter Rail line will share freight train tracks with the Portland & Western railroad running through eastern Washington County. In addition to serving Tigard, the line will also serve five stations in Beaverton, Washington Square, Tualatin and Wilsonville. The Tigard Commuter Rail station will be located in the downtown adjacent to the existing TriMet Bus station approximately 300 feet east of Main Street on the north set of tracks. The existing tracks on the south side will be removed. A Park and Ride facility will also be constructed south of the Commuter Rail line.

This project provides funding for the design and construction of specific enhancements such as streetscaping, lighting, landscaping to enrich the combined TriMet Bus/Commuter Rail site that will function as a transportation hub in downtown Tigard. Construction is anticipated to begin in late 2006 with service scheduled for 2008.

Library Parking Lot Expansion	\$180,000
--------------------------------------	------------------

cip year: FY 2006-07

Facility Fund

\$180,000

status: Proposed

description:

This project modifies and expands the existing Library parking lot at the northeast corner of the Hall Blvd/Wall Street intersection to provide additional parking spaces for the patrons visiting the Library. The project also relocates the Library entrance immediately east of Hall Blvd to approximately 370 feet east of the street to connect to the proposed Wall Street. This project will be constructed in conjunction with the Hall/Wall Street - Phase 2 project to minimize impacts to the Library and other properties in close proximity.

Library Projects - Houghton - Root Donations	\$427,697
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cip year: FY 2006-07

Facility Fund

\$427,697

status: Proposed

description:

Projects to be funded by donations received from Grace Tigard Houghton and Neva Root.

Library Property - Voluntary Cleanup	\$75,000
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cip year: FY 2006-07

Facility Fund

\$75,000

status: Proposed

description:

Soil with higher than normal background levels of arsenic existed on the library property prior to construction. Most of the soil containing the higher concentrations was removed or capped, as part of the library construction project. There is a need to test the rest of the property to determine if any additional mitigation efforts are required. The City has entered into a voluntary cleanup program with the Department of Environmental Quality (DEQ) to evaluate the rest of the site, perform additional tests in areas that were not tested, and determine if additional mitigation is needed. The results of the additional testing and evaluation will determine what, if any, additional mitigation work is needed to produce a "no further action" determination by DEQ.

Outside Entrance to PC-4 conference room	\$15,000
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cip year: FY 2006-07

Facility Fund

\$15,000

status: Proposed

description:

This project modifies the existing conference room at the northeast corner of the Permit Center Bldg. Installation of a new door will allow the public to enter the room without entering the main entrance when conducting public meetings.

PD Underground Storage Tank Upgrade	\$40,000
--	-----------------

cip year: FY 2006-07

Facility Fund

\$40,000

status: Adopted

description:

Decomission and remove existing underground storage tank for the emergency back up

generator at the Police Department. Install above ground storage tank of same capacity (500 gallons).

Police & Records Storage Remodel

\$15,000

cip year: FY 2006-07

Facility Fund

\$15,000

status: Proposed

description:

The project remodels the current Public Works operations building to accommodate storage of Police evidence and city records. The remodel includes architect fees, construction costs including modifications to plumbing, electrical and heating systems, purchase of a generator and above ground tank, man lift and shelving units for storage. By remodeling the operations facility, Police and City records will be able to store records and evidence in one location consequently reducing overall operating costs and enhancing more efficient operation.

Senior Center Remodel Design (including Seismic Upgrade)

\$200,000

cip year: FY 2006-07

Facility Fund

\$200,000

status: Proposed

description:

The Senior Center needs to be remodeled and enlarged to meet the current and fast-growing needs of Tigard's senior population. In addition, as part of the on-going maintenance and update of City facilities, the Center needs to be upgraded to meet current seismic standards. This project includes engineering design, construction documents and construction costs.

No funds are to be spent on this project unless a Community Development Block Grant (CDBG) is awarded for the work, or the project design is a requirement for award of the grant for the project.

Report - Project Details by Type
CIP Year: FY 2006-07

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Parks System Program **\$2,457,876**

BPA Trail Feasibility Study **\$15,000**

cip year: FY 2006-07

Parks Capital Fund

\$15,000

status: Proposed

description:

This is a proposed pedestrian trail that would extend along the Bonneville Power Administration (BPA) power line easement from SW Beef Bend Road to SW Barrows Road. A consultant will be contracted to develop a preliminary trail alignment study.

Clute Property House Demolition **\$15,000**

cip year: FY 2006-07

Parks Capital Fund

\$15,000

status: Proposed

description:

This house is being demolished to create space for a future small, neighborhood park on City owned property.

Fanno Creek Trail (Hall to Fanno Creek) **\$30,000**

cip year: FY 2006-07

Parks Capital Fund

\$30,000

status: Proposed

description:

This trail segment will be from Hall Blvd. to Fanno Creek, north of the bridge across Fanno Creek. This segment will connect to the existing trail south of the bridge.

Fanno Creek Trail Master Plan **\$60,000**

cip year: FY 2006-07

Parks Capital Fund

\$60,000

status: Proposed

description:

The Fanno Creek Greenway Trail is a 15-mile recreational and commuter trail that connects the Willamette River in southwest Portland to the Tualatin River near Cook Park. When completed, the Fanno Creek Trail will provide the first regional multi-use trail on the west side of the Portland region, linking existing parks and recreational facilities. More than 50% of the Tigard portion of the trail has been completed.

This project provides funding to prepare a Master Plan to identify available rights-of-way along the creek to construct the remaining portion of the trail in the future.

Land Acquisition **\$1,159,026**

cip year: FY 2006-07

Parks Capital Fund

\$1,159,026

status: Proposed

description:

This project is directly related to the Council goal of "Address growth - Identify and acquire open space and park land". The use ranges from neighborhood parks to greenspace to pocket parks.

Northview Park - Shelter & Path Installation **\$25,000**

cip year: FY 2006-07

Parks Capital Fund

\$25,000

status: Proposed

description:

This will continue the park master plan by adding a picnic shelter and a path system within Northview Park.

Parkland Acquisition - Downtown	\$100,000
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cip year: FY 2006-07

Parks Capital Fund \$100,000

status: Proposed

description:

This project provides funding to purchase property north of Fanno Creek in the area designated as Area #2 in the Tigard Downtown Improvement Plan. Environmental enhancement of that area to help revitalize the Tigard downtown is expected in the future as part of the Downtown Improvement Plan project recommendations.

Skate Park Development & Construction	\$426,300
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cip year: FY 2006-07

Parks Capital Fund \$426,300

status: Proposed

description:

This project constructs a 15,000 square foot, in-ground skate park in the area of the City Hall parking lot approved by City Council. Funding for this project will come from private donations, general fund and system development charges. At this point, private donations are expected to raise approximately \$40,000 and the balance will come from a combination of the General Fund and the Parks SDC fund. These funding sources will be consolidated and transferred into the Parks Capital Fund.

Tree Replacement/Planting	\$50,000
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cip year: FY 2006-07

Parks Capital Fund \$50,000

status: Proposed

description:

This continues the yearly program to plant new trees in greenways and parks, remove old and hazardous trees, and maintain and protect existing trees. Funding for this is from the fee developers pay when it is not possible to protect existing trees on property that is being developed.

Tualatin River/Cook Park Trail from Garden to Bridge	\$97,530
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cip year: FY 2006-07

Parks Capital Fund \$97,530

status: Proposed

description:

This 1300 foot trail segment will connect the Cook Park Trail to the newly constructed Tualatin River Bicycle and Pedestrian Bridge. The funding for this project will come from a state grant, Park SDCs and the fund balance.

Washington Square Regional Center Trail	\$430,020
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cip year: FY 2006-07

Parks Capital Fund \$430,020

status: Proposed

description:

This project provides funding for a conceptual design, final design and construction of a trail on the south side of Ash Creek between Highway 217 and Hall Boulevard. The trail will be approximately 3,000 feet long by 10 feet wide and will be a multi-use bicycle and pedestrian path. By providing this trail, pedestrians and bicyclists will be able to bypass the traffic on Hall Boulevard, Greenburg Road, Scholls Ferry Road and Nimbus Avenue.

Park Signs	\$50,000
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cip year: FY 2006-07

Parks Capital Fund \$50,000

status: Proposed

description:

This project installs community oriented park signs at pedestrian areas and across streets where appropriate at Parks and entries to the City.

Report - Project Details by Type
CIP Year: FY 2006-07

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Sanitary Sewer System Program	\$2,520,000
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79th Ave Sanitary Sewer Outfall	\$80,000
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cip year: FY 2006-07

<i>Sanitary Sewer Fund</i>	<u>\$80,000</u>
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status: Proposed

description:

This project installs approximately 1,000 feet of sanitary sewer pipe between 79th Avenue and the CWS 60-inch interceptor running adjacent to Fanno Creek. Construction of the new pipe is necessary to provide an outfall to a proposed sanitary sewer extension district on 79th Avenue that will serve approximately 10 lots on the street. This project will be constructed in conjunction with the 79th Avenue Storm Drainage Outfall project to minimize impacts to private properties.

Benchview Terrace Sanitary Sewer Access Road	\$60,000
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cip year: FY 2006-07

<i>Sanitary Sewer Fund</i>	<u>\$60,000</u>
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status: Proposed

description:

A small creek and drainage from surrounding developments are eroding about 250 feet of a road used by City maintenance crews to reach a sanitary sewer. The road is accessed from Greenfield Drive, just south of the intersection at Benchview Terrace. The purpose of the project is to repair the damage caused by erosion by stabilizing the creek and redirecting drainage.

Bonita Road at Milton Court - Pipe Removal	\$30,000
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cip year: FY 2006-07

<i>Sanitary Sewer Fund</i>	<u>\$30,000</u>
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status: Proposed

description:

In FY 2002-03 the City installed approximately 250 feet of 8-inch sanitary sewer pipe to replace an existing pipe that had severe bellies and poor grade. This segment of the line is located at the Fanno Creek crossing west of the Bonita Road/Milton Court intersection. At the time of construction, the City decided to abandon the existing pipe in place with the intention of removing it at a later time. This project is the removal of the pipe crossing Fanno Creek at this location.

Citywide Sanitary Sewer Extension Program	\$2,000,000
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cip year: FY 2006-07

<i>Sanitary Sewer Fund</i>	<u>\$2,000,000</u>
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status: Proposed

description:

This 5 year-program, which began in FY 2001-02, extends sanitary sewer services to all developed but un-sewered areas Citywide. The City uses the formation of reimbursement districts to construct the sewers. As residents connect to the new sewer line, they have to pay their proportionate share of the cost of the line, plus the normal connection fee.

The FY 2005-06 program proposed to include six reimbursement districts to provide approximately 95 connections to existing homes. However, in order to provide adequate time to purchase easements for construction of the outfalls for 4 districts, last year's program completed only 2 districts: Ash Avenue (at Garrett Street) and 93rd Avenue/Mountainview Lane to provide connections to 37 lots.

The following 6 districts are proposed for FY 2006-07:

- 87th Avenue (north of McDonald Street)
- 97th Avenue (between Murdock and Pembroke Street)
- 100th Avenue (between Inez and McDonald Street)
- Ann Street (between 121st and 116th Avenue)
- Hillview Street (at 102nd Avenue)
- Fairhaven Street (east of 115th Avenue).

These districts will provide approximately 79 connections to existing homes.

The program will need to be extended for several years beyond the original 5-year to address complex design issues, wetland permits and right-of-way acquisitions. Approval from City Council is required to form each district and construct the sewer extensions.

The Commercial Area Sewer Extension Program is also funded from the Sanitary Sewer Fund and offers commercial entities the opportunity to participate in reimbursement districts for extension of sewer service to commercial areas. The current incentive programs for early connection in residential neighborhoods are not offered to the commercial sector. Funding is provided to accommodate potential projects that may surface during the fiscal year from the commercial sector.

Commercial Street Sanitary Sewer Repair (Lincoln to Maint St)	\$50,000
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cip year: FY 2006-07

Sanitary Sewer Fund \$50,000

status: Proposed

description:

This project replaces approximately 50 feet of a severe damaged pipe on Commercial Street between Lincoln and Main Street that has caused frequent infiltration. This project will be designed and constructed in coordination with the Commercial Street Improvements project between Lincoln and Main Street.

McDonald Street (at Hall Boulevard) Sanitary Sewer Connection	\$100,000
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cip year: FY 2006-07

Sanitary Sewer Fund \$100,000

status: Proposed

description:

This project connects a previously built but unconnected sanitary sewer on McDonald Street to the existing sanitary sewer system located on Merlyne Ct. This project includes installation of 240 feet of 8-inch sewer main and 2 manholes. Completion of the project will provide 10 connections to existing homes.

Red Rock Creek Sanitary Sewer Repair	\$50,000
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cip year: FY 2006-07

Sanitary Sewer Fund \$50,000

status: Proposed

description:

Red Rock Creek has eroded away the soil and base rock from a sanitary sewer manhole and approximately 20 feet of 8-inch main just downstream of the manhole. The manhole and pipe are at risk of collapse due to this erosion problem. This project, located at 6900 SW 69th Ave., will address the problem.

Sanitary Sewer Major Maintenance Program	\$100,000
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cip year: FY 2006-07

Sanitary Sewer Fund \$100,000

status: Proposed

description:

The Sanitary Sewer Fund will be used to contract out sewer repair projects that are beyond the repair capabilities of the City's Public Works Department. This program is expected to be a continuing program in future years as routine maintenance would avoid restoration costs that could be several times higher. The Sanitary Sewer Major Maintenance Program in FY 2006-07 will include sewer repair projects located at various locations in the City.

Sanitary Sewer Master Plan	\$50,000
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cip year: FY 2006-07

Sanitary Sewer Fund \$50,000

status: Proposed

description:

Sanitary sewers in some areas receive an excessive amount of storm water through unauthorized

connections or deteriorated lines. The storm water causes overloading of sewers and increases the cost of operating the treatment plant. The proposed project provides funding to analyze and identify the sources of the stormwater entering the sewers and prepare a plan to reduce the sources.

The project also identifies lines of inadequate capacity by conducting flow monitoring of existing lines to determine the extent of the capacity deficiency. A prioritized list of capacity improvement projects will be prepared as part of this project.

Report - Project Details by Type
CIP Year: FY 2006-07

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5/5/2006 11:33:00 AM

Street System Program

\$7,290,000

72nd Avenue/Dartmouth Street Intersection Signalization **\$500,000**

cip year: FY 2006-07

Traffic Impact Fee Fund **\$300,000**

status: Proposed

Gas Tax Fund **\$275,000**

description:

The 72nd Avenue/Dartmouth Street intersection is un-signalized, is configured as an "all-way stop" and is one of the most heavily-traveled intersections in Tigard. The multiple lanes on both streets are not conducive to the orderly movement of traffic. Both 72nd Avenue and Dartmouth Street in the vicinity of the intersection are virtually at capacity since they have become desirable routes attracting most local traffic in Tigard. Therefore, the intersection operating conditions are poor and show significant delay in the AM and PM peaks. In addition, the traffic volumes will most likely increase as large vacant properties in Tigard Triangle are developed. Increased traffic volumes would make the intersection unsafe and even more difficult for orderly movement of traffic.

This project installs a traffic signal and constructs necessary roadway improvements to improve the traffic handling capacity of the intersection.

The design is scheduled to be completed in the summer of 2006 and construction is scheduled for the fall of 2006 or spring of 2007.

The intention at this time is to explore the formation of a reimbursement district to allocate the project costs among upcoming developments. \$127,642 has been collected from developers. The amount of \$372,358 will be contributed by the City for the improvements, which would be fully or partially reimbursed by the developments as they occur within the proposed district.

Ash Avenue Connection Feasibility Study (Fanno Creek to Scoffins St) **\$40,000**

cip year: FY 2006-07

Gas Tax Fund **\$40,000**

status: Proposed

description:

This project provides funding for a corridor study to determine a feasible alignment for Ash Avenue between Fanno Creek and Scoffins Street. If the recommendation from that study is to retain the extension of Ash Avenue, the design of the street, which may be initiated as early as FY 2007-08 will incorporate improvement concepts developed by the Downtown Comprehensive Streetscape Design Plan.

Ash Avenue Construction (Burnham Street to Railroad Tracks) **\$300,000**

cip year: FY 2006-07

Gas Tax Fund **\$300,000**

status: Proposed

description:

Construction of Ash Avenue between Burnham Street and the existing railroad tracks to provide a second entrance and exit to the proposed Commuter Rail station and parking lot is identified in the Downtown Improvement Plan approved by the City Council in 2005. The traffic impact of only one access on Main Street, especially during peak hours, would be extensive.

This project constructs a half-street improvement on the new Ash Avenue to provide a 23-foot paved width with sidewalk and planter strip on one side of the street. Appropriate transitions will also be constructed between the new street and the railroad tracks. Necessary rights-of-way will be purchased to accommodate the new construction. The remaining half-street will be constructed in the future to provide a full street section in accordance with the three-lane collector cross section specified in the current Tigard Transportation System Plan.

The funding provided is for design and right-of-way acquisition. Construction of the project will be proposed for funding in FY 2007-08.

Bull Mountain Road (at Hwy 99W) Right-Turn Lane Widening	\$75,000
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cip year: FY 2006-07

status: Proposed

*Traffic Impact Fee Fund –
Urban Services* **\$75,000**

description:

This project widens the right-turn lane on Bull Mountain Road at Highway 99W. The current eastbound lane from Bull Mountain Road to southbound Highway 99W is not wide enough to accommodate truck turning movements and other large-sized vehicles. In addition, the turning radius is substandard, which makes it difficult for vehicles to stay within the lane while maintaining the travelling speeds. The outfall of the storm drain pipe that runs underneath the road is also broken off and is in need of repair. This project provides funding to relocate an existing planter strip to provide space for widening of the right-turn lane and repair the existing storm drain outfall. It also enlarges the curb return radius for safe turning movements. Coordination with Washington County and the Oregon Department of Transportation on the design of the improvements is in progress. The funding provided is for completion of the project, which is expected to begin in late FY 2005-06.

Bull Mountain/Roshak Road Intersection	\$100,000
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cip year: FY 2006-07

status: Proposed

*Traffic Impact Fee Fund –
Urban Services* **\$100,000**

description:

This project includes evaluation and establishment of the ultimate configuration of the intersection to be used in the future planning around that area and design and construction of interim improvements that would fit into that long-term plan. The interim improvements incorporate the half-street improvements designed by a new subdivision north of the intersection to improve the horizontal alignment of Bull Mountain Road and enhance the street's capacity to accommodate additional traffic volumes generated by new developments in close proximity. Completion of the interim improvements will provide a dedicated left-turn lane from Bull Mountain to Roshak Road, and two through-lanes. Also included in the project are minor drainage work and new striping pattern to accommodate the additional lane. This project is funded from the Urban Services TIF fund in the amount of \$100,000, allocated in two fiscal years FY 2005-06 and FY 2006-07, with the subdivision providing necessary funding for the half-street improvements required for its development.

Burnham Street Improvements	\$950,000
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cip year: FY 2006-07

status: Proposed

Gas Tax Fund **\$950,000**

description:

This project completes the design of Burnham Street between Main Street and Hall Boulevard and provides funding to initiate right-of-way acquisition. Based on current design standards, the street requires a minimum paved width of 44 feet with sidewalks and landscaped strips on each side of the street. The 44-foot paved width may consist of two travel lanes, a center-turn lane and two bike lanes. However, the elements proposed for the street may be modified to incorporate design concepts recommended by the Tigard Downtown Comprehensive Streetscape Plan, which is currently underway. Those recommendations are expected to be completed in the summer of 2006. The final design for Burnham Street is scheduled to be completed in December 2006. Right-of-Way acquisition is anticipated to occur in the fall and winter of the fiscal year and construction to begin in the spring of 2007 if feasible.

Commercial Street (at Main Street) Intersection Treatments	\$75,000
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cip year: FY 2006-07

status: Proposed

Gas Tax Fund **\$75,000**

description:

This project designs and constructs appropriate treatments on Commercial Street at Main Street. Specific improvements identified in the Tigard Downtown Comprehensive Streetscape Plan, including signage, monuments, streetscape enhancements, light fixtures, landscaping, etc., will be incorporated into the project to ensure consistency of the overall design theme required for downtown Tigard. This project requires coordination with the Commercial Street Improvements

project, which is scheduled for construction in early-fall of 2006, to minimize impacts to the street and develop a cost-effective approach for both projects.

Commercial Street Improvements (Lincoln Avenue to Main Street)	\$400,000
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cip year: FY 2006-07

Gas Tax Fund

\$400,000

status: Proposed

description:

This project involves construction of half-street improvements with sidewalk on the north side of the street to provide a continuous sidewalk on Commercial Street from Lincoln to Main Street. The total paved width of Commercial Street after improvements is 28 feet curb-to-curb, which will accommodate two travel lanes and parking spaces on one side of the street. Due to close proximity of existing homes, trees, bridge piers, and railroad tracks, planter strips will be placed wherever feasible. The preliminary design has been completed and necessary rights-of-way are being acquired from three properties.

Construction of the project was originally scheduled for the spring of 2006. However, in order to incorporate the design concepts of the Downtown Comprehensive Streetscape Plan into the project and to assure the rights-of-way are acquired in time for the improvements, the construction has been re-scheduled to early-fall of 2006. Completion of the project will provide a safe and convenient pedestrian route to downtown services and the planned commuter rail station. This project has been approved for CDBG funding in the amount of \$91,300 with local matching funds of \$208,700 coming from the Gas Tax Fund.

Downtown Comprehensive Streetscape Design	\$50,000
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cip year: FY 2006-07

Gas Tax Fund

\$50,000

status: Proposed

description:

The Tigard Downtown Improvement Plan, which was completed in September 2005, identifies eight "catalyst projects" and smaller-scale "brand-Tigard" projects with the potential to enhance the development environment of downtown Tigard.

The first step towards implementation of the catalyst projects is to create a Comprehensive Streetscape Plan for the downtown area. The plan will identify an overall theme for the downtown area, establish design details for streets, public spaces, gateways, commuter rail station, parking lots, and recommend improvements suited for downtown streets. The plan will be designed by a Landscape Architect consultant and is scheduled to be completed in the summer of 2006. Completion of the plan will provide general design guidelines and a package of projects that can be implemented over a period of years as funding sources become available.

Durham Road/108th Avenue Intersection Signalization	\$200,000
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cip year: FY 2006-07

Traffic Impact Fee Fund

\$200,000

status: Proposed

description:

This project was funded in FY 2005-06 for installation of a traffic signal at the Durham Road/108th Avenue intersection. Traffic volumes on Durham Road have steadily increased since the mid 80's and will continue to increase as the street provides a direct connection between two state highways, Highway 99W and Hall Boulevard. Due to the increase in traffic volumes on Durham Road, traffic attempting to turn left from 108th Avenue onto the street experiences excessive delay. The problem has become worse as the residential developments along 108th Avenue are completed and generate impacts on the operations of traffic movements at this intersection. A traffic analysis conducted in March 2005 indicates installation of a traffic control signal on or about 2006 will enhance traffic safety at the intersection.

Funding provided for this project is for the design and installation of a traffic signal, including necessary roadway improvements, to provide safe and controlled turning movements for traffic at the intersection.

Hall Blvd and Highway 99W Gateway Treatments	\$75,000
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cip year: FY 2006-07

Gas Tax Fund

\$75,000

status: Proposed

description:

This project designs and constructs landscape and streetscape improvements at the intersection of Highway 99W and Hall Blvd. The improvements will incorporate the design concept established by the Downtown Comprehensive Streetscape Plan.

Hall Blvd Half-street Improvements (Fanno Creek to 450 feet north) \$150,000

cip year: FY 2006-07

Traffic Impact Fee Fund \$150,000

status: Proposed

description:

This project widens Hall Blvd on the east side of the street from the existing Fanno Creek Bridge to approximately 450 feet north. The current northbound travel lane, which is less than 12 feet, will be widened to 12 feet. The narrow roadway shoulder will be replaced with a paved 6-foot bike lane. The new sidewalk will be installed at the ultimate location of the right-of-way required for an arterial (50 feet from the street centerline), which can accommodate a 5-lane street section in the future as needed. A planter strip will separate the bike lane and the sidewalk. Mitigation of the storm water generated by the additional impervious area will also be addressed in the design. The existing bridge will not be widened as part of this project.

Hall Boulevard (at McDonald Street) Right-turn Lane Widening \$125,000

cip year: FY 2006-07

Traffic Impact Fee Fund \$125,000

status: Proposed

description:

This project, which was funded in FY 2005-06, will be extended into FY 2006-07 to complete the design and acquisition of rights-of-way for construction of a southbound right-turn lane on Hall Boulevard at McDonald Street, as indicated by the conditions of approval for the development of the Library. In addition to widening the street, curb and sidewalk are proposed along the new segment of the street to improve pedestrian safety. An ODOT permit will be required for the improvements. A traffic study has been completed identifying required design elements such as lane width, storage lane, corner radius, etc. Construction of the project is tentatively scheduled to begin in late-spring of 2007.

Hall Boulevard Crosswalk (at Fanno Creek Pathway) \$80,000

cip year: FY 2006-07

Gas Tax Fund \$80,000

status: Proposed

description:

This project is carried over from FY 2005-06 for installation of a crosswalk on Hall Blvd to provide a mid-block crossing for Fanno Creek Trail users. Since Hall Boulevard is a state route, location of the crosswalk requires approval from the Oregon Department of Transportation (ODOT). Upon completion of the project, the crosswalk will provide a mid-block crossing on a heavily-traveled, two-lane state route with a posted speed limit of 40 mph. Flashing beacons will be installed prior to or at the crossing to alert the on-coming two-way traffic of pedestrians crossing the street.

Hall Boulevard Sidewalk (Spruce St to 850' south) \$150,000

cip year: FY 2006-07

Gas Tax Fund \$150,000

status: Proposed

description:

This project is carried over from FY 2005-06. It enhances pedestrian movements along Hall Blvd south of Spruce Street by installing sidewalks on the west side of the street for approximately 850 feet. Hall Boulevard at this location is a narrow two-lane roadway without sidewalks forcing pedestrians to use the existing bike lane and occasionally encroach into the travel lane. The close proximity of existing homes, landscape and limited right-of-way on this state route preclude placement of planter strips at some locations. This project has been approved for Community Development Grant (CDBG) funding in the amount of \$136,725 with local matching funds of \$108,275 coming from the Gas Tax Fund, for the total of \$245,000, of which \$100,000 is allocated in FY 2006-07 to complete the project.

Hall Boulevard/Wall Street Intersection - Phase 2 \$700,000

cip year: FY 2006-07

status: Proposed

description:

This project constructs a common access to Hall Boulevard for the Library and the Fanno Pointe Condominiums as required by the Oregon Department of Transportation (ODOT). To ensure the project is constructed expeditiously for safe crossings at the entrance to the Library, the City divided the project in two phases: Phase 1 is the installation of a traffic signal at the entrance to the Library, which is scheduled to be completed in December 2005. Phase 2 is the construction of approximately of 370 feet of the common access, which has the same alignment with the proposed Wall Street, connecting Hall Boulevard to Hunziker Street. Wall Street is not proposed for construction at this time.

Pinebrook Creek will be re-aligned for construction of the access. Because the re-alignment work is characterized as in-stream work, the Division of State Lands permit requires the work to be performed between July and October. Construction of the project is scheduled to begin in early-summer of 2006.

Highway 99W Corridor Improvement & Management Plan	\$20,000
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cip year: FY 2006-07

Gas Tax Fund

\$20,000

status: Proposed

description:

Highway 99W carries over 50,000 vehicles per day, half of which is regional through traffic. This highway is currently overwhelmed by the existing traffic volumes. There are no significant parallel routes to this highway, and the traffic congestion will continue to worsen as traffic increases during the next few years. The intersections of Highway 99W with Hall Boulevard, Greenburg Road, and McDonald Street are bottlenecks that seriously hamper the smooth flow of traffic. At peak travel hours, cut-through traffic uses the City of Tigard's collector and arterial system to avoid the Highway 99W traffic congestion. This traffic adversely impacts the arterial and collector street system in the City.

The City has received a Transportation and Growth Management (TGM) grant to develop the plan. The study will evaluate various alternatives for improvement of the highway (including development of new parallel routes and connections that can feasibly be made between developments parallel to the highway) between Durham Road and Interstate 5. The intent of the study is to address current traffic deficiencies, present design alternatives and propose strategies that would provide for effective traffic circulation, connectivity and operational improvements to the highway and its corridor. The study would provide a plan for management of the corridor and a package of projects (both large and small) that can be implemented over a period of years as funding sources are identified and designated for these projects. The allocated funding is to provide a local matching fund required by the TGM grant.

Main Street Safety Improvements	\$75,000
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cip year: FY 2006-07

Gas Tax Fund

\$75,000

status: Proposed

description:

This project includes minor safety improvements on Main Street including installation of light fixtures, bulbs-out, marked crosswalks, etc. A study will be conducted to determine the feasibility and locations of the improvements.

Pavement Major Maintenance Program (PMMP)	\$1,160,000
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cip year: FY 2006-07

Street Maintenance Fee
(SMF)

\$950,000

status: Proposed

Gas Tax Fund

\$210,000

description:

The City has been active in implementing the yearly Pavement Major Maintenance program of corrective and preventative maintenance on streets in Tigard. The program, which includes rehabilitation alternatives, has the abilities to 1) restore the pavement's structural integrity, 2) increase riding quality, and 3) improve traffic safety. More importantly, through this pavement preservation strategy, the City was able to encounter a good return on its maintenance investments, which would have been significantly higher if it used different approaches, i.e.

reconstruction, when the streets are allowed to deteriorate. The City will continue to monitor and evaluate the pavement conditions after streets have been rehabilitated to document the effectiveness of the treatments. So far, the streets that have received treatments, have shown signs of exceeding their expected service lives. Streets scheduled to be included in this year's program are:

- 68th Avenue (Highway 99W to Atlanta Street)
- 72nd Avenue (Baylor Street to 1,000 feet north)
- 79th Avenue (Bond to Ashford Street)
- 100th Avenue (Sattler Road to Murdock Street)
- 136th Avenue (south of Walnut Lane)
- Durham Road (Summerfield Drive to Serena Court)
- Garden Park Place Loop (at 110th Avenue)
- Lomita Avenue (90th Avenue to end)
- Pine Street (east of 69th Avenue)
- Upper Boones Ferry Road (72nd Avenue to Interstate 5).

The project list is subject to change due to actual bid proposals submitted at the time the project is advertised for construction. The lowest submittal bid price could exceed the proposed budget, which would require the City to move some streets from the current fiscal year to FY 2007-08. The Gas Tax fund will provide funding for improvements of the areas outside the existing edges of pavement if needed. Rehabilitation of the streets, including reconstruction if necessary, within the existing edges of pavement will be funded through the Street Maintenance Fee Fund.

Sidewalk Improvements	\$100,000
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cip year: FY 2006-07	<u>Gas Tax Fund</u>	\$100,000
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status: Proposed

description:

The existing network of sidewalks in Tigard is not continuous outside of the newer residential subdivisions. The City recognizes continuity and connectivity are key issues for pedestrians and intends to address these issues through this project. The first priority is to provide sidewalks between transit amenities such as bus stops and key activity centers. Extension of existing sidewalks at various locations in the City to provide safe paths to schools for students will also be considered.

Tigard Triangle Street Improvements LID No.1	\$1,750,000
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cip year: FY 2006-07	<u>Tigard Triangle LID #1</u>	\$1,750,000
status: Proposed	<u>Fund</u>	

description:

The Tigard Transportation System Plan (TSP) identifies the Tigard Triangle as an area where the street infrastructure needs to be significantly upgraded to meet the City's established standards. The formation of a Local Improvement District (LID) for construction of street improvements would address some of the deficiencies identified in the TSP.

Specht Development, Inc. submitted a petition requesting the formation of an LID to improve certain streets within the Tigard Triangle. The proposed improvements include street and utility improvements to 68th Ave, 69th Ave and 70th Ave between Dartmouth and Baylor Street and Dartmouth Street and Clinton Street between 68th and 70th Ave, all within the Tigard Triangle.

In the Council meeting of February 28, 2006, City Council approved the establishment of the proposed LID and directed staff to proceed with the Preliminary Engineer's Report. This project provides funding to complete the report and to construct the improvements for the district if it is formed.

Traffic Improvement Analysis - Greenburg Rd/Tiedeman Ave/North Dakota St./Tigard St. Area	\$50,000
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cip year: FY 2006-07	<u>Gas Tax Fund</u>	\$25,000
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status: Proposed	<u>Traffic Impact Fee Fund</u>	\$25,000
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description:

Traffic volumes on the street system in the vicinity of Greenburg Road, North Dakota Street, Tiedeman Avenue and Tigard Street have resulted in frequent traffic backups on all four streets. The skewed intersection of North Dakota Street with Greenburg Road and the railroad crossings on Tiedeman Avenue and North Dakota Street exacerbate the traffic congestion problem. The Tigard Street/Tiedeman Avenue intersection needs turning lanes for more efficient traffic flow. This project provides funding for a study to determine how to improve traffic flow through this area, especially during peak travel hours. The study will include the feasibility of closing one of the railroad crossings and potential street realignments to improve traffic circulation throughout the entire area. It will also include evaluation of the signal timing at the Greenburg Road/Tiedeman Avenue intersection to determine if any changes should be performed for better traffic movement through that intersection. The findings of the study is expected to provide the basis for future improvements in this area to improve traffic flow and enhance traffic and pedestrian safety throughout the streets in this area.

Walnut Street (116th to Tiedeman Avenue) ROW Acquisition	\$40,000
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cip year: FY 2006-07

Gas Tax Fund

\$40,000

status: Proposed

description:

This project provides funding to acquire the remaining rights-of-way for the improvements of Walnut Street between 116th and Tiedeman Avenue. The design has been completed and most of the rights-of-way have been acquired in FY 2004-05. Acquisition of the rights-of-way is necessary for future widening and reconstruction of the street. The narrow two-lane street is proposed to be widened to a three-lane roadway with curb, sidewalk and bike lanes. Construction of the project is scheduled to begin in FY 2009-10.

Walnut Street Improvements (135th to 121st Avenue)	\$20,000
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cip year: FY 2006-07

Gas Tax Fund

\$20,000

status: Proposed

description:

This project is the last phase of a three-phase project funded through the Washington County MSTIP3.

The first phase improved the Walnut/121st Avenue intersection, which was completed by the County in August 2001. The second phase constructed the Walnut/Gaarde Street intersection and its approaches and installed a traffic signal at the intersection. The project was completed by the City also in 2001.

Phase 3 is constructed by the County, which began in the spring of 2005. The project widens Walnut Street between 135th and 121st Avenue to provide a 44-foot paved roadway that consists of two travel lanes, a center-turn lane and two bike lanes. Planter strips are also installed wherever possible. The project also reconfigures and separates the Walnut Lane/135th Avenue intersection from Walnut Street. Certain improvements, such as extension of sanitary sewer lines, upgrades of waterlines and installation of pavement overlay, are also included in the project and are funded by the City. The construction is anticipated to be completed in the summer of 2006.

Traffic Signal Installation at Tigard and Main	\$30,000
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cip year: FY 2006-07

Gas Tax Fund

\$30,000

status: Proposed

description:

Project design for the signalization of the intersection of Main Street and Tigard Street. The signalization of this intersection will be coordinated with the design of the signalized crossing gates for the Main Street railroad crossing to be installed as part of the Commuter Rail project. Installation of the signal is projected to occur in FY2007-08.

Report - Project Details by Type
CIP Year: FY 2006-07

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Storm Drainage System Program	\$781,000
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79th Avenue Storm Drainage Outfall	\$90,000
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cip year: FY 2006-07

Stormwater Fund

\$90,000

status: Proposed

description:

This project constructs approximately 1,000 feet of 18-inch storm drain line east of 79th Avenue for discharge of storm runoff into Fanno Creek. The project also installs an energy dissipator manhole and riprap for water to flow through prior to discharging to the creek. Construction of this project will be combined with the 79th Avenue Sanitary Sewer Outfall project to minimize impacts to private properties. A 20-foot utility easement will be dedicated by a property owner for construction and maintenance of the storm drain and sanitary sewer pipes. Completion of this project will provide a direct point of connection for future upgrades of the storm drainage system on the street.

Derry Dell Creek at Fanno Creek and Walnut St - Culvert Improvements	\$125,000
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cip year: FY 2006-07

Water Quality/Quantity Fund

\$125,000

status: Proposed

description:

This project will replace two existing culverts: the first one is at Derry Dell Creek as it crosses under Walnut Street, and the second one is under an existing sanitary sewer main at the outfall of Derry Dell Creek into Fanno Creek. This project includes the design of both culvert replacements in preparation for construction of the project scheduled for the summer of 2008. Completion of the project will increase capacity of the culvert at Walnut Street to resolve flooding and maintenance issues and allow fish passage into derry Dell Creek. This project will also accomplish culvert replacement goals identified in the Healthy Streams Plan.

Derry Dell Creek Wetland & Vegetated Corridor Enhancement	\$3,000
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cip year: FY 2006-07

Stormwater Fund

\$3,000

status: Proposed

description:

In FY 2004-05, the City enhanced wetland areas and the vegetated corridor along Derry Dell Creek at 110th Avenue. The enhancement is required by the DSL, the Corps of Engineers, and CWS due to impacts generated by the installation of a sanitary sewer pipe across the creek. Installation of planting materials was completed in that fiscal year. In FY 2005-06, the City provided funding to hire a consultant to perform field inspections and monitor the growth of the vegetation. A report has been submitted to the agencies describing the site conditions and proposing a plan to maintain the current growing rate. This project provides funding for the second year report, including field inspections, monitoring and reporting to the agencies. Funding will also be allocated in FY 2007-08, to complete the monitoring work as required by the permit.

Durham Rd at 108th Ave - Stream Bank Stabilization	\$150,000
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cip year: FY 2006-07

Stormwater Fund

\$150,000

status: Proposed

description:

A creek bank and a portion of the segmental-block retaining wall south of Durham Road have been eroded and undermined due to high stream flow oufalling from a 36-inch culvert under the street. The contributing factors to the problems are a large boulder, which was placed in the middle of the stream, and the culvert alignment, which does not line up with the creek. This project removes and reconstructs a portion of the retaining wall, removes the existing boulder, and extends the culvert for proper alignment with the creek. Preliminary design has been completed. Environmental permits are now being acquired because the project site is located within a sensitive area according to the City's Wetlands and Stream Corridors map. Contruction will occur between July and October to meet the in-water work window requirement. Bank

stabilization is the responsibility of adjacent property owners.

Gaarde Street Phase II Wetland Mitigation	\$3,000
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cip year: FY 2006-07

<i>Stormwater Fund</i>	\$3,000
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status: Proposed

description:

This project provides funding to inspect and report mitigation measures required by the DSL, the Corps of Engineers and CWS to offset the loss of 0.009 acres of wetland associated with the widening of Gaarde Street. The offsite mitigation area is along the Fanno Creek Greenway immediately north of Tigard Street. The vegetated enhancement area is located along the Fanno Creek trail south of the Burnham Business Park. Initial vegetation management and plant installation were completed in FY 2004-05. In FY 2005-06, the City provided funding for field inspections and preparation of the first monitoring report to be submitted to the agencies. The proposed funding is for the second year report, including field inspections, monitoring and reporting to the agencies. Funding will also be allocated in FY 2007-08, to complete the last report as required by the permit.

Highland Drive (109th Ave to 500' west of Greens Way) - Storm Drain Pipe Replacement	\$25,000
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cip year: FY 2006-07

<i>Stormwater Fund</i>	\$25,000
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status: Proposed

description:

The existing storm drainage system on Highland Drive from 109th Ave to 500 feet west of Greens Way consists of 12-inch pipes that have been crushed in numerous places and are in need of repair. This project includes installation of new pipes, manholes, and catch basins. This project was funded in FY 2005-06 from the Storm Sewer Fund to improve the existing storm drainage system.

The work that will be performed in conjunction with the new pavement overlay also is scheduled for this street. The overlay work is funded from the Street Maintenance Fee Fund. The proposed funding for the storm drain replacement is required to complete the remaining work, which is anticipated to be carried over into FY 2006-07.

Hiteon Creek Riparian Enhancement - Phase 2 Construction	\$90,000
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cip year: FY 2006-07

<i>Water Quality/Quantity Fund</i>	\$90,000
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status: Proposed

description:

This project constructs riparian enhancement features, including modifications of riparian buffer areas, to promote treatment of high flows. It also includes placement of large woody debris and minor channel improvements. This project addresses the "Stormwater Outfall Retrofit" goal identified in the Healthy Streams Plan prepared by Clean Water Services.

Pine Street Storm Drainage System Upgrade	\$95,000
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cip year: FY 2006-07

<i>Stormwater Fund</i>	\$95,000
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status: Proposed

description:

This project upgrades the existing storm drainage system on Pine Street, which is shallow and undersized and is not able to collect storm runoff from surrounding properties. Flooding has occurred (at least in the yard of one house) and a temporary ditch has been installed to handle the overflow of the runoff. The FY 2005-06 CIP provided funding to resolve the problem by replacing the existing 6-inch pipe with 12-inch, and installing manholes and catch basins for frequent collections of storm runoff. The funding proposed for FY 2006-07 is required to complete the construction, which begins in late FY 2005-06.

Red Rock Creek (at Dartmouth Street) Culvert Replacement	\$100,000
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cip year: FY 2006-07

<i>Water Quality/Quantity Fund</i>	\$100,000
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status: Proposed

description:

As part of the 72nd Ave/Dartmouth Street Intersection improvements, the Red Rock Creek culvert under 72nd Ave will be improved to increase capacity, allow fish passage and stabilize the creek channel near the intersection.

Storm Drainage Major Maintenance

\$100,000

cip year: FY 2006-07

Stormwater Fund

\$100,000

status: Proposed

description:

This yearly program addresses minor storm drainage problems requiring more than normal maintenance effort by the City's Public Works department. The Storm Drainage Major Maintenance Program in FY 2006-07 includes projects located at various locations in the City.

Report - Project Details by Type
CIP Year: FY 2006-07

created on:
5/5/2006 11:38:36 AM

Water System Program

\$7,052,470

550' Zone Beaverton Connection

\$200,000

cip year: FY 2006-07

Water Fund \$84,000

status: Proposed

Water SDC Fund \$116,000

description:

The City's water system is currently connected with the City of Beaverton (Joint Water Commission) in the 410' elevation zone. This project will create a second connection to serve the 550' elevation zone. This project may also allow the City to delay construction of a 550' zone reservoir on the north side of Bull Mountain for several years.

550' Zone Improvements: 10 MG transfer pump station upgrade

\$50,000

cip year: FY 2006-07

Water CIP Fund \$50,000

status: Proposed

description:

The existing transfer pump station, located on the 10 MG reservoir site at Bull Mountain Road/125th Avenue, serves both the 550-foot and 713-foot service zones. The Water Distribution System Hydraulic Study identified a need to replace this pump station with one that would provide a higher pumping capacity to both service zones. Construction of this improvement increases pumping capacity from 2,000 gpm to 3,300 gpm for the 713-foot service zone. The pump station will also provide 3,900 gpm to the 550-Foot Zone Reservoir No. 2 listed previously. Along with the piping improvements listed below, the existing pump station at the Canterbury site (Pump Station No. 1) will be abandoned.

550' Zone Improvements: Reservoir No. 2 Supply Lines

\$200,000

cip year: FY 2006-07

Water CIP Fund \$200,000

status: Proposed

description:

This improvement is needed for existing and future needs in both transmission and distribution to serve the new reservoir and pump station upgrade projects listed above. A new line will be constructed between the new transfer pump station and Reservoir No. 2, ranging in size from 18-inch to 24-inch. Design work will include selection of the most feasible route for this line.

550' Zone Reservoir No. 2

\$500,000

cip year: FY 2006-07

Water CIP Fund \$500,000

status: Proposed

description:

This reservoir will be located on Bull Mountain and will serve the south and eastern portions of the 550-foot pressure zone. Constructing this reservoir will eliminate some of the demand currently supplied by the 713-Foot pressure zone. Supply to the reservoir will be provided through the transfer pump station upgrade and supply piping projects separately listed.

ASR Expansion Studies

\$400,000

cip year: FY 2006-07

Water CIP Fund \$400,000

status: Proposed

description:

The City's hydrogeologist of record will assist Staff in locating potential sites for additional aquifer storage and recovery (ASR) wells. In addition, test wells must be drilled by a qualified well driller in order for the hydrogeologist to determine suitability of the well for ASR purposes. Therefore, these studies will include both consulting services and drilling services.

Burnham Street - 16-inch Waterline Replacement (Tie to Street Project)

\$100,000

cip year: FY 2006-07

status: Proposed

Water Fund \$50,000

Water SDC Fund \$50,000

description:

Burnham Street is a major collector and is subject for reconstruction in FY 07/08. The installation of a 16-inch main is necessary based upon the Water Distribution System Hydraulic Plan. The street project will provide a good opportunity for the water main work to be completed.

Defective Meter Replacements (1 1/2 -Inch & Larger) \$40,000

cip year: FY 2006-07

Water Fund \$40,000

status: Yearly Program

description:

This has been one of the long-term projects for the Public Works Department. The large meter replacement program is for the systematic testing, repair and/or replacement of all 1 1/2-inch and larger water meters. Meters of this size have developed problems where actual water flows are inaccurately measured; most of the time, the volume of water is under-reported. The result is that water customers could be using more water than they are being assessed. Testing and or replacement of these water meters have proven to make financial sense in that the investment is recouped by the additional revenues received due to accurate meters.

Defective Meter Replacements (Smaller Sizes) \$15,000

cip year: FY 2006-07

Water Fund \$15,000

status: Yearly Program

description:

This has been another one of the long-term projects for the Public Works Department and is similar to the program for 1 1/2-inch meter replacements. But this program is for the smaller meters. Meters of this size have also developed problems where actual water flows are inaccurately measured; most of the time, the volume of water is under-reported. The result is that water customers could be using more water than they are being assessed. Testing and or replacement of these water meters have proven to make financial sense in that the investment is recouped by the additional revenues received due to accurate meters.

Lake Oswego Feasibility Study \$130,000

cip year: FY 2006-07

Water CIP Fund \$130,000

status: Proposed

description:

This project will involve an intergovernmental agreement (IGA) with the City of Lake Oswego to determine the feasibility of the two cities becoming partners to expand the Lake Oswego treatment plant and improve transmission lines between the two cities to enable Tigard to obtain long term water supply from Lake Oswego's system. This option will be considered by Council along with the other source options Tigard is considering.

Menlor Reservoir Recirculation \$45,000

cip year: FY 2006-07

Water Fund \$45,000

status: Proposed

description:

Menlor reservoir is developing a water quality issue in that, at certain times of the year, water does not circulate through the reservoir thus allowing chlorine residuals to diminish to below state standards. This project will install a small circulatory pump system that will address this problem.

Meter Installations \$60,000

cip year: FY 2006-07

Water Fund \$60,000

status: Yearly Program

description:

This on-going program ties in with the Water Service Installations program. When new water customers, or existing customers who need an additional water service, apply for a new service, Public Works staff install the service line and will set the new meter.

Replace Well House #2 (Gaarde Site)		\$70,000
cip year: FY 2006-07	<u>Water Fund</u>	<u>\$70,000</u>
status: Proposed		
description: The existing well house at Well #2 is approximately 40 years old and needs to be replaced and upgraded for security reasons.		
Scoggins Dam/Tualatin Water Supply		\$430,000
cip year: FY 2006-07	<u>Water CIP Fund</u>	<u>\$430,000</u>
status: Proposed		
description: As part of obtaining a long-term water source for the Tigard service area, the City is partnering with other Joint Water Commission (JWC) owners for the Scoggins Dam Raise feasibility report. Raising the dam would increase the storage volume of Hagg Lake and would therefore provide more capacity for JWC member cities.		
Secure 550' Reservoir #1 Site		\$3,000,000
cip year: FY 2006-07	<u>Water CIP Fund</u>	<u>\$2,700,000</u>
status: Proposed	<u>Water SDC Fund</u>	<u>\$300,000</u>
description: This reservoir is shown in the City's Water System Master Plan and will be located on the north side of Bull Mountain. These funds will be used to locate and secure a suitable site.		
Secure 550' Reservoir #2 Site		\$1,200,000
cip year: FY 2006-07	<u>Water CIP Fund</u>	<u>\$1,200,000</u>
status: Proposed		
description: The Public Works Department is in the process of securing a permanent location for the 550-foot zone Reservoir No. 2. The general location of this reservoir will be near Bull Mountain Road, west of Greenfield Drive.		
Telemetry Upgrade		\$200,000
cip year: FY 2006-07	<u>Water Fund</u>	<u>\$200,000</u>
status: Proposed		
description: The existing telemetry system is out of date and the software and hardware are no longer supported by the manufacturer or local representatives. The City has also experienced failures of controllers at various sites due to the aging of the overall system. Replacement of controllers can take up to three weeks, which is not adequate for the City's need to have continuous monitoring ability of the water system. The upgrade process will enable the City to have up to date technology that is more user friendly, and to explore modes of communication other than the phone line system currently used.		
Funds for 06/07 would only be used if the project is not 100% complete by June 30, 2006.		
Walnut Street (121st to Tiedeman) Relocate 12-Inch Line w/Street Construction		\$39,000
cip year: FY 2006-07	<u>Water Fund</u>	<u>\$39,000</u>
status: Proposed		
description: This project is in conjunction with the Walnut Street improvements to be completed by Washington County and the City over the next two years. Due to grade and alignment issues the existing 12" water line needs to be upgraded.		
Water Line Replacement-Walnut (135th to 121st)		\$44,720

cip year: FY 2006-07	<u>Water Fund</u>	<u>\$22,360</u>
status: Under Construction	<u>Water SDC Fund</u>	<u>\$22,360</u>

description:
This project is in conjunction with the Walnut Street improvements to be jointly completed by Washington County and the City. Funds for this year would only be used if the street project were not 100% complete by June 30, 2006.

Water Main Oversizing	\$95,000
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cip year: FY 2006-07	<u>Water SDC Fund</u>	<u>\$95,000</u>
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status: Yearly Program

description:
During the course of the year the City may find the need to upsize a planned pipeline through a new development, thus accomplishing an identified capital improvement as listed in the "Water Distribution System Hydraulic Study - May 2000."

Water Main Replacements	\$78,750
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cip year: FY 2006-07	<u>Water Fund</u>	<u>\$78,750</u>
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status: Yearly Program

description:
This on-going program is based on the needs identified in the "Water Distribution System Hydraulic Study - May 2000", and is for the routine replacement of leaking, damaged and older water mains throughout the water system. In most cases the existing mains have adequate capacity and will be replaced with the same diameter water mains. This program is also for the completion of loops in the system to maintain hydraulic efficiencies.

Water Reservoir Seismic Upgrade Evaluation	\$70,000
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cip year: FY 2006-07	<u>Water Fund</u>	<u>\$70,000</u>
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status: Proposed

description:
This is the beginning of an expected two-year program that will review all of Tigard's water reservoirs for conformity to current seismic standards and recommend upgrades where needed.

Water Service Installations	\$10,000
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cip year: FY 2006-07	<u>Water Fund</u>	<u>\$10,000</u>
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status: Yearly Program

description:
This is another long-term program for the department. Each year the City adds new customers to the system through individual building permits or additional water services. Customers apply for a new water service, and Public Works staff installs the service line and will set the meter (see Meter Installations line item).

Water Site Security Upgrades	\$75,000
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cip year: FY 2006-07	<u>Water Fund</u>	<u>\$75,000</u>
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status: Proposed

description:
This project will accomplish the water site security upgrades that were identified in the PW Vulnerability Assessment and Emergency Response Plan. The security upgrades will include improvements to such things as access, fencing, intrusion alarms, and monitoring.

APPENDIX B

Five-Year Community Investment Program Plan

(FY 2006-07 through FY 2010-11)

City of Tigard

Five-Year Community Investment Program Plan (FY 2006-07 through FY 2010-11)

Community Investment Program

The City's Community Investment Program (CIP) consists of capital improvements that result in permanent additions to the City's fixed assets. These capital improvements are typically of major importance and cost. They include but are not limited to construction and acquisition of new buildings, additions to or renovations of existing buildings, construction, reconstruction, and upgrading of streets, water, and sanitary sewer facilities, drainage improvements, demolition of existing structures, land purchases, major equipment purchases, and studies necessary to perform the actual project.

A capital improvement should possess the following characteristics:

- It serves an essential public purpose.
- It has a long, useful life or significantly extends the useful life of an existing fixed asset.
- It is comparatively expensive and is not of routine nature.
- It is fixed in place or stationary.
- It is related to government functions and expenditures.
- It is a usual responsibility of a local government.

The City of Tigard's Five-Year Community Investment Program Plan

The City of Tigard's CIP provides a five-year plan for major capital expenditures that matches available resources with project needs. The CIP lists each proposed capital project, the time frame in which the project needs to be undertaken, the financial requirements of the project, and proposed methods of financing. The five-year plan describes the first year's projects in detail and lists projects for subsequent fiscal years. However, the projects shown after the first year are tentative and are subject to change during the formulation process for each specific budget year.

The CIP is reviewed and approved each year by the City Council. The program is developed through a process separate from the City's Operating Budget formulation

Appendix B

process. It is developed in close coordination with the City's Finance Director and is formulated early in the fiscal year so that it can be integrated into the City's overall budget process for approval. The program submitted to the City's Budget Committee, Planning Commission and City Council is a five-year program with the first year's program described in detail. While the program lists projects for subsequent fiscal years, the projects shown are tentative and are subject to change during the formulation process for each specific budget year. The CIP, through the adoption process, establishes the budget and projects for the upcoming fiscal year and serves as a planning document to guide the infrastructure improvements over the following four years. During each budget year's update, the revenue estimates are adjusted, the project cost estimates are reviewed, and the program and project priorities are re-evaluated based on changes in City plans, citizen input, and additional data which may become available.

The Five-Year Community Investment Program projects are shown in the following appendices:

- ◆ Appendix B-1: City Facilities System Program
- ◆ Appendix B-2: Parks System Program
- ◆ Appendix B-3: Sanitary Sewer System Program
- ◆ Appendix B-4: Street System Program
- ◆ Appendix B-5: Storm Drainage System Program
- ◆ Appendix B-6: Water System Program

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Appendix B

City Facilities System Program FY 06-07

	Fund Name	
Project Name	Facility Fund	Grand Total
City Facility Security Upgrades	\$ 10,000	\$ 10,000
Commuter Rail Station Enhancement	\$ 100,000	\$ 100,000
Audio/Visual Control System for Council Chambers	\$ 83,000	\$ 83,000
Card Reader Installation	\$ 18,500	\$ 18,500
Library Parking Lot Expansion	\$ 180,000	\$ 180,000
Library Projects - Houghton- Root Donations	\$ 427,697	\$ 427,697
Library Property - Voluntary Cleanup	\$ 75,000	\$ 75,000
Citywide Facility Analysis	\$ 50,000	\$ 50,000
Outside Entrance to PC-4 Conference Room	\$ 15,000	\$ 15,000
PD Underground Storage Tank Upgrade	\$ 40,000	\$ 40,000
Police & Records Storage Remodel	\$ 15,000	\$ 15,000
Senior Center Remodel & Seismic Upgrade	\$ 200,000	\$ 200,000
	\$ 1,214,197	\$ 1,214,197

City Facilities System Program FY 07-08

	Fund Name	
Project Name	Facility Fund	Grand Total
Miscellaneous City Facilities Projects	\$ 100,000	\$ 100,000
Repaint City Hall, Permit Center and Police Dept.	\$ 40,000	\$ 40,000
City Facility Security Upgrades	\$ 10,000	\$ 10,000
Police & Records Storage Remodel	\$ 150,000	\$ 150,000
Senior Center Remodel and Seismic Upgrade	\$ 1,050,000	\$ 1,050,000
Water Building UST Decommission	\$ 45,000	\$ 45,000
Grand Total	\$ 1,395,000	\$ 1,395,000

City Facilities System Program FY 08-09

	Fund Name	
Project Name	Facility Fund	Grand Total
Demolition of Surplus Public Works Facilities	\$ 50,000	\$ 50,000
Miscellaneous City Facilities Projects	\$ 100,000	\$ 100,000
City Facility Security Upgrades	\$ 10,000	\$ 10,000
Grand Total	\$ 160,000	\$ 160,000

City Facilities System Program FY 09-10

	Fund Name	
Project Name	Facility Fund	Grand Total
City Facility Security Upgrades	\$ 10,000	\$ 10,000
Miscellaneous City Facilities Projects	\$ 100,000	\$ 100,000
Grand Total	\$ 110,000	\$ 110,000

City Facilities System Program FY 10-11

	Fund Name	
Project Name	Facility Fund	Grand Total
City Facility Security Upgrades	\$ 10,000	\$ 10,000
Miscellaneous City Facilities Projects	\$ 100,000	\$ 100,000
Grand Total	\$ 110,000	\$ 110,000

Parks System Program FY 06-07

Tree Replacement/Planting	\$ 50,000	50,000
Washington Square Regional Center Trail	430,020	430,020
BPA Trail Feasibility Study	15,000	15,000
Clute Property House Demolition	15,000	15,000
Fanno Creek Trail (Hall to Fanno Creek)	30,000	30,000
Park Signs	50,000	50,000
Park Land Acquisitions & Development	1,159,026	1,159,026
Northview Park - Shelter & Path Installation	25,000	25,000
Skate Park Development & Construction	426,300	426,300
Tualatin River/Cook Park Trail from Garden to Bridge	97,530	97,530
Fanno Creek Master Plan	60,000	60,000
Park Land Acquisition - Downtown	100,000	100,000
Grand Total	\$ 2,457,876	\$ 2,457,876

Parks System Program FY 07-08

	Fund Name	
Project Name	Parks Capital Fund	Grand Total
Tree Replacement/Planting	\$ 50,000	\$ 50,000
Grand Total	\$ 50,000	\$ 50,000

Parks System Program FY 08-09

	Fund Name	
Project Name	Parks Capital Fund	Grand Total
Tree Replacement/Planting	\$ 50,000	\$ 50,000
Grand Total	\$ 50,000	\$ 50,000

Parks System Program FY 09-10

	Fund Name	
Project Name	Parks Capital Fund	Grand Total
Tree Replacement/Planting	\$ 50,000	\$ 50,000
Neighborhood Park Near Templeton Elem. School	\$ 400,000	\$ 400,000
Grand Total	\$ 450,000	\$ 450,000

Parks System Program FY 10-11

	Fund Name	
Project Name	Parks Capital Fund	Grand Total
Tree Replacement/Planting	\$ 50,000	\$ 50,000
Grand Total	\$ 50,000	\$ 50,000

Sanitary Sewer System Program FY 06-07

	Fund Name	
Project Name	Facility Fund	Grand Total
Benchview Terrace Sanitary Sewer Access Road	\$ 60,000	\$ 60,000
Sanitary Sewer Major Maintenance	\$ 100,000	\$ 100,000
Citywide Sanitary Sewer Extension Program	\$ 2,000,000	\$ 2,000,000
Bonita Rd at Milton Ct - Pipe Removal	\$ 30,000	\$ 30,000
79th Ave Sanitary Sewer Outfall	\$ 80,000	\$ 80,000
Commercial Street Sanitary Sewer Upgrades (Lincoln to Main St)	\$ 50,000	\$ 50,000
Hall Boulevard (at McDonald St) Sanitary Sewer Connection	\$ 100,000	\$ 100,000
Red Rock Creek Sanitary Sewer Repair	\$ 50,000	\$ 50,000
Sanitary Sewer Master Plan	\$ 50,000	\$ 50,000
Grand Total	\$ 2,520,000	\$ 2,520,000

Sanitary Sewer System Program FY 07-08

	Fund Name	
Project Name	Sanitary Sewer Fund	Grand Total
Sanitary Sewer Major Maintenance Program	\$ 100,000	\$ 100,000
Citywide Sanitary sewer Extension Program	\$ 1,000,000	\$ 1,000,000
68th Parkway Sanitary Sewer Repair	\$ 50,000	\$ 50,000
79th Avenue Sanitary Sewer Outfall	\$ 50,000	\$ 50,000
Commercial St Sanitary Sewer Extension (95th to Lincoln)	\$ 75,000	\$ 75,000
Grand Total	\$ 1,275,000	\$ 1,275,000

Sanitary Sewer System Program FY 08-09

	Fund Name	
Project Name	Sanitary Sewer	Grand Total
Citywide Sanitary Sewer Extension Program	\$ 750,000	\$ 750,000
Sanitary Sewer Major Maintenance	\$ 100,000	\$ 100,000
Grant St Sanitary Sewer	\$ 250,000	\$ 250,000
Grand Total	\$ 1,100,000	\$ 1,100,000

Sanitary Sewer System Program FY 09-10

	Fund Name	
Project Name	Sanitary Sewer Fund	Grand Total
Sanitary Sewer Major Maintenance	\$ 100,000	\$ 100,000
Citywide Sanitary Sewer Extension	\$ 500,000	\$ 500,000
Highway 217 Sanitary Sewer Upgrade	\$ 500,000	\$ 500,000
Grand Total	\$ 1,100,000	\$ 1,100,000

Sanitary Sewer System Program FY 10-11

	Fund Name	
Project Name	Sanitary Sewer Fund	Grand Total
Sanitary Sewer Major Maintenance	\$ 100,000	\$ 100,000
Hunziker Sanitary Sewer Upgrade	\$ 500,000	\$ 500,000
Grand Total	\$ 600,000	\$ 600,000

Street System Program FY 06-07

Project Name	Fund Name					Grand Total
	Gas Tax Fund	Street	Traffic Impact	Traffic Impact	Tigard	
		Maintenance	Fee Fund	Fee Fund -	Triangle LID #	
		Fee (SMF)		Urban	1 Fund	
				Services		
Bull Mountain/Roshak Road Intersection	\$ -			\$ 100,000		\$ 100,000
Pavement Major Maintenance Program (PMMP)	\$ 210,000	\$ 950,000				\$ 1,160,000
Sidewalk Improvements	\$ 100,000					\$ 100,000
72nd Avenue/Dartmouth Street Intersection Signalization	\$ 275,000		\$ 300,000			\$ 575,000
Bull Mountain Road (at Hwy 99W) Right-Turn Lane Widening				\$ 75,000		\$ 75,000
Downtown Comprehensive Streetscape Design	\$ 50,000					\$ 50,000
Durham Road/108th Ave Intersection Signalization			\$ 200,000			\$ 200,000
Hall Boulevard (at McDonald Street) Right-turn Lane Widening			\$ 125,000			\$ 125,000
Hall Boulevard Crosswalk (at Fanno Creek Pathway)	\$ 80,000					\$ 80,000
Hall Boulevard Sidewalk (Spruce St to 850' south)	\$ 150,000					\$ 150,000
Hall Boulevard/Wall Street Intersection - Phase 2			\$ 700,000			\$ 700,000
Walnut Street Improvement (135th to 121st Avenue)	\$ 20,000					\$ 20,000
Ash Ave Connection Feasibility Study (Fanno Crk to Scoffins St.)	\$ 40,000					\$ 40,000
Ash Ave Construction (Burnham St to Railroad Tracks)	\$ 300,000					\$ 300,000
Burnham Street Improvements	\$ 950,000					\$ 950,000
Commercial St (at Main Street (Intersection Treatments)	\$ 75,000					\$ 75,000
Commercial St Improvements (Lincoln Ave to Main St)	\$ 400,000					\$ 400,000
Hall Blvd and Highway 99W Gateway Treatments	\$ 75,000					\$ 75,000
Hall Blvd half-street Improvement (Fanno Crk to 450 ft north)			\$ 150,000			\$ 150,000
Highway 99W Corridor Improvement & Management Plan	\$ 20,000					\$ 20,000
Main Street Safety Improvements	\$ 75,000					\$ 75,000
Tigard Triangle Street Improvement LID No. 1					1,750,000	\$ 1,750,000
Traffic Improvement Analysis - Greenburg Rd/Tiedeman Ave North						
Dakota St/Tigard St Area	\$ 25,000		\$ 25,000			\$ 50,000
Walnut St (116th to Tiedeman Ave) ROW Acquisition	\$ 40,000					\$ 40,000
Traffic Signal Installation at Tigard & Main			\$ 30,000			\$ 30,000
Grand Total	\$ 2,885,000	\$ 950,000	\$ 1,530,000	\$ 175,000	\$ 1,750,000	\$ 7,290,000

Street System Program FY 07-08

	Fund Name					
Project Name	Gas Tax Fund	Street	Traffic Impact	Traffic Impact	Grand Total	
		Maintenance	Fee Fund	Fee Fund –		
		Fee (SMF)		Urban Services		
Sidewalk Improvements	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000	
PMMP (Pavement Major Maintenance Program)	\$ -	\$ 775,000	\$ -	\$ -	\$ 775,000	
72nd Ave/Dartmouth St Intersection	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	
City/County Joint Projects (?)	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	
Greenburg Rd (Washington Sq Dr to Tiedeman Ave)(MTIP grant \$660,000)	\$ -	\$ -	\$ 330,000	\$ -	\$ 330,000	
Hall Blvd (at McDonald) Right-turn Lane	\$ -	\$ -	\$ 75,000	\$ -	\$ 75,000	
Hall Blvd/Wall St Intersection - Phase 2	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	
Ash Avenue Construction (Burnham Street to Railroad Tracks)	\$ 70,000	\$ -	\$ -	\$ -	\$ 70,000	
Burnham Street Improvements	\$ 800,000	\$ -	\$ 1,100,000	\$ -	\$ 1,900,000	
Burnham Street/Hall Blvd Gateway Treatments	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000	
Hall Blvd. half-street Improvements (Fanno Creek to 450 feet north)	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	
Main/Tigard Street Intersection Signalization	\$ -	\$ -	\$ 175,000	\$ -	\$ 175,000	
Grand Total	\$ 1,030,000	\$ 775,000	\$ 1,895,000	\$ 150,000	\$ 3,850,000	

Street System Program FY 08-09

	Fund Name						
	Traffic Impact Fee Fund –						
		Street					
		Maintenance	Traffic Impact	Urban	Underground		
Project Name	Gas Tax Fund	Fee (SMF)	Fee Fund	Services	Utility Fund	Grand Total	
Sidewalk Improvements	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000	
PMMP (Pavement Major Maintenance Program)	\$ -	\$ 625,000	\$ -	\$ -	\$ -	\$ 625,000	
Scoffin/Hall/Hunziker Intersection Realignment - Design	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000	
Greenburg Rd (Washington Sq Dr to Tiedeman Ave)(MTIP grant \$660,000)	\$ -	\$ -	\$ 330,000	\$ -	\$ -	\$ 330,000	
Hall Blvd/Wall St Intersection - Phase 2	\$ -	\$ -	\$ 15,000	\$ -	\$ -	\$ 15,000	
Joint Projects between Washington County & City	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	
North Dakota (Greenburg to 95th) Construction	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -	\$ 200,000	
Sattler Rd (96th Ave) Crosswalk Lights	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	
Main Street/Fanno Creek Trail Intersection Treatments	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000	
Main Street/Hwy 99W Gateway Treatments	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000	
Walnut Street Reconstruction (116th to Tiedeman Ave)	\$ -	\$ -	\$ 1,700,000	\$ -	\$ 200,000	\$ 1,900,000	
Grand Total	\$ 435,000	\$ 725,000	\$ 2,145,000	\$ 200,000	\$ 200,000	\$ 3,705,000	

Street System Program FY 09-10

	Fund Name				
		Street		Traffic Impact	
Project Name	Gas Tax Fund	Maintenance Fee (SMF)	Traffic Impact Fee Fund	Fee Fund – Urban Services	Grand Total
Pavement Major Maintenance Program (PMMP)	\$ -	\$ 525,000	\$ -	\$ -	\$ 525,000
Sidewalk Improvements	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000
Hall Blvd/Wall St Intersection - Phase 2	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000
Joint Projects between Washington County & City	\$ -	\$ -	\$ -	\$ 250,000	\$ 250,000
North Dakota (Greenburg to 95th Ave) Reconstruction	\$ 250,000	\$ -	\$ -	\$ -	\$ 250,000
Walnut Street (135th to 121st Ave)	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000
Grand Total	\$ 350,000	\$ 675,000	\$ 10,000	\$ 250,000	\$ 1,285,000

Street System Program FY 10-11

	Fund Name				
		Street		Traffic Impact	
Project Name	Gas Tax Fund	Maintenance Fee (SMF)	Traffic Impact Fee Fund	Fee Fund – Urban Services	Grand Total
Pavement Major Maintenance Program (PMMP)	\$ -	\$ 675,000	\$ -	\$ -	\$ 675,000
Sidewalk Improvements	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
Hall Blvd/Wall St Intersection - Phase 2	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000
Joint Projects between Washington County & City	\$ -	\$ -	\$ -	\$ 250,000	\$ 250,000
121 Ave (Gaarde to Walnut Street)	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000
Greenburg Rd (Washington Sq Dr to Tiedeman Ave)(MTIP grant \$660,000)	\$ -	\$ -	\$ 3,700,000	\$ -	\$ 3,700,000
Grand Total	\$ 75,000	\$ 675,000	\$ 3,910,000	\$ 250,000	\$ 4,910,000

Storm Drainage System Program FY 06-07

Fund Name			
Project Name	Water Quality/ Quantity Fund	Stormwater Fund	Grand Total
Derry Dell Creek Wetland & Vegetated Corridor Enhancement		\$ 3,000	\$ 3,000
Gaarde Street Phase II Wetland Mitigation		\$ 3,000	\$ 3,000
Storm Drainage Major Maintenance		\$ 100,000	\$ 100,000
79th Avenue Storm Drainage Outfall		\$ 90,000	\$ 90,000
Durham Road at 108th Ave - Stream Bank Stabilization		\$ 150,000	\$ 150,000
Highland Dr (109th Ave to 500' west of GreensWay) Pipe Replace		\$ 25,000	\$ 25,000
Pine Street Storm Drainage System Upgrade		\$ 95,000	\$ 95,000
Water Quality Enhancement	\$ 25,000		\$ 25,000
Hiteon Creek Riparian Enhancement - Phase 2 Construction	\$ 90,000		\$ 90,000
Red Rock Creek (at Dartmouth St) Culvert Replacement	\$ 100,000		\$ 100,000
Derry Dell Creek at Fanno Creek & Walnut St - Culvert Imp.	\$ 125,000		\$ 125,000
	\$ 340,000	\$ 466,000	\$ 806,000

Storm Drainage System Program FY 07-08

Fund Name			
Project Name	Water Quality/ Quantity Fund	Stormwater Fund	Grand Total
Derry Dell Creek Wetland & Vegetated Corridor Enhancement	\$ -	\$ 3,000	\$ 3,000
Gaarde Street Phase 2 Wetland Mitigation	\$ -	\$ 3,000	\$ 3,000
Storm Drainage Major Maintenance Program	\$ -	\$ 100,000	\$ 100,000
79th Ave Storm Drainage Outfall	\$ -	\$ 30,000	\$ 30,000
Cascade Ave Storm Drain Overflow	\$ -	\$ 100,000	\$ 100,000
Commercial St Culvert Replacement at Transit Center Site	\$ -	\$ 50,000	\$ 50,000
Derry Dell Creek at Fanno Creek & Walnut St - Culvert Improvement	\$ 375,000	\$ -	\$ 375,000
Derry Dell Creek Tree Planting	\$ 15,000	\$ -	\$ 15,000
Hiteon Creek Tree Planting	\$ -	\$ 10,000	\$ 10,000
Red Rock Creek (at 72nd Ave) Culvert Replacement	\$ 75,000	\$ -	\$ 75,000
Stormwater Outfall Retrofits	\$ 90,000	\$ -	\$ 90,000
Grand Total	\$ 555,000	\$ 296,000	\$ 851,000

Storm Drainage System Program FY 08-09

	Fund Name		
	Water Quality/ Quantity Fund	Stormwater Fund	Grand Total
Project Name			
Storm Drainage Major Maintenance Program	\$ -	\$ 100,000	\$ 100,000
Water Quality Enhancement	\$ 25,000	\$ -	\$ 25,000
Cascade Ave Storm Drain Overflow	\$ -	\$ 100,000	\$ 100,000
Commercial St Culvert Replacement	\$ -	\$ 50,000	\$ 50,000
Community Tree Planting	\$ 85,000	\$ -	\$ 85,000
Culvert Replacements	\$ 130,000	\$ -	\$ 130,000
Red Rock Creek (at 72nd) Culvert Replacement	\$ 125,000	\$ -	\$ 125,000
Riparian Restoration and Enhancement	\$ 50,000	\$ -	\$ 50,000
Stormwater Outfall Retrofits	\$ 90,000	\$ -	\$ 90,000
Grand Total	\$ 505,000	\$ 250,000	\$ 755,000

Storm Drainage System Program FY 09-10

	Fund Name		
	Water Quality/ Quantity Fund	Stormwater Fund	Grand Total
Project Name			
Water Quality Enhancement	\$ 25,000	\$ -	\$ 25,000
Storm Drainage Major Maintenance	\$ -	\$ 100,000	\$ 100,000
Community Tree Planting	\$ 85,000	\$ -	\$ 85,000
Culvert Replacement	\$ 130,000	\$ -	\$ 130,000
Riparian Restoration and Enhancement	\$ 50,000	\$ -	\$ 50,000
Stormwater Outfall Retrofits	\$ 90,000	\$ -	\$ 90,000
Grand Total	\$ 380,000	\$ 100,000	\$ 480,000

Storm Drainage System Program FY 10-11

	Fund Name		
Project Name	Water Quality/ Quantity Fund	Stormwater Fund	Grand Total
Storm Drainage Major Maintenance	\$ -	\$ 100,000	\$ 100,000
Community Tree Planting	\$ 85,000	\$ -	\$ 85,000
Stormwater Outfall Retrofits	\$ 90,000	\$ -	\$ 90,000
Grand Total	\$ 175,000	\$ 100,000	\$ 275,000

Water System Program FY 06-07

Project Name	Fund Name			
	Water CIP Fund	Water Fund	Water SDC Fund	Grand Total
Defective Meter Replacements (Smaller Sizes)	\$ -	\$ 15,000	\$ -	\$ 15,000
Meter Installations	\$ -	\$ 60,000	\$ -	\$ 60,000
Telemetry Upgrade	\$ -	\$ 200,000	\$ -	\$ 200,000
Water Main Replacements	\$ -	\$ 78,750	\$ -	\$ 78,750
Water Service Installations	\$ -	\$ 10,000	\$ -	\$ 10,000
Replace Well House #2 (Gaarde Site)	\$ -	\$ 70,000	\$ -	\$ 70,000
Walnut Street (121st to Tiedeman) Relocate 12-Inch Line w/Street Construction	\$ -	\$ 39,000	\$ -	\$ 39,000
Water Main Oversizing	\$ -	\$ -	\$ 95,000	\$ 95,000
Water Reservoir Seismic Upgrade Evaluation	\$ -	\$ 70,000	\$ -	\$ 70,000
550' Zone Beaverton Connection	\$ -	\$ 84,000	\$ 116,000	\$ 200,000
Defective Meter Replacements (1 1/2 -Inch & Larger)	\$ -	\$ 40,000	\$ -	\$ 40,000
Scoggins Dam/Tualatin Water Supply	\$ 430,000	\$ -	\$ -	\$ 430,000
550' Zone Improvements: 10 MG transfer pump station upgrade	\$ 50,000	\$ -	\$ -	\$ 50,000
550' Zone Improvements: Reservoir No. 2 Supply Lines	\$ 200,000	\$ -	\$ -	\$ 200,000
550' Zone Reservoir No. 2	\$ 500,000	\$ -	\$ -	\$ 500,000
ASR Expansion Studies	\$ 400,000	\$ -	\$ -	\$ 400,000
Burnham Street - 16-inch Waterline Replacement (Tie to Street Project)	\$ -	\$ 50,000	\$ 50,000	\$ 100,000
Lake Oswego Feasibility Study	\$ 130,000	\$ -	\$ -	\$ 130,000
Menlor Reservoir Recirculation	\$ -	\$ 45,000	\$ -	\$ 45,000
Secure 550' Reservoir #1 Site	\$ 2,700,000	\$ -	\$ 300,000	\$ 3,000,000
Secure 550' Reservoir #2 Site	\$ 1,200,000	\$ -	\$ -	\$ 1,200,000
Water Line Replacement-Walnut (135th to 121st)	\$ -	\$ 22,360	\$ 22,360	\$ 44,720
Water Site Security Upgrades	\$ -	\$ 75,000	\$ -	\$ 75,000
High Tor Pump Station Rebuild	\$ 300,000	\$ -	\$ -	\$ 300,000
SDC Methodology Update	\$ -	\$ -	\$ 25,000	\$ 25,000
Grand Total	\$ 5,910,000	\$ 859,110	\$ 608,360	\$ 7,377,470

Water System Program FY 07-08

Project Name	Fund Name			
	Water CIP Fund	Water Fund	Water SDC Fund	Grand Total
Defective Meter Replacements (Smaller Sizes)	\$ -	\$ 15,000	\$ -	\$ 15,000
Meter Installations	\$ -	\$ 60,000	\$ -	\$ 60,000
Water Main Replacements	\$ -	\$ 78,750	\$ -	\$ 78,750
Water Service Installations	\$ -	\$ 10,000	\$ -	\$ 10,000
Water Main Oversizing	\$ -	\$ -	\$ 75,000	\$ 75,000
Water Reservoir Seismic Upgrade Evaluation	\$ -	\$ 70,000	\$ -	\$ 70,000
Defective Meter Replacements (1 1/2 -Inch & Larger)	\$ -	\$ 40,000	\$ -	\$ 40,000
JWC Raw Water Pipeline	\$ 528,020	\$ -	\$ -	\$ 528,020
Scoggins Dam/Tualatin Water Supply	\$ 620,000	\$ -	\$ -	\$ 620,000
550' Zone Improvements: 10 MG transfer pump station upgrades	\$ 1,600,000	\$ -	\$ -	\$ 1,600,000
550' Zone Improvements: Reservoir No. 2	\$ 2,550,000	\$ -	\$ -	\$ 2,550,000
550' Zone Improvements: Reservoir No. 2 Supply Lines	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
ASR 1: Energy Saving Upgrades	\$ -	\$ 50,000	\$ -	\$ 50,000
ASR 3	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
ASR Expansion Studies	\$ 400,000	\$ -	\$ -	\$ 400,000
Burnham Street - 16-inch Waterline Replacement (Tie to Street Project)	\$ -	\$ 130,000	\$ 130,000	\$ 260,000
On-site Chlorine Generation at ASR #1	\$ -	\$ 80,000	\$ -	\$ 80,000
Water Site Security Upgrades	\$ -	\$ 50,000	\$ -	\$ 50,000
Grand Total	\$ 7,698,020	\$ 583,750	\$ 205,000	\$ 8,486,770

Water System Program FY 08-09

	Fund Name			
Project Name	Water CIP		Water SDC	Grand Total
	Fund	Water Fund	Fund	
Meter Installations	\$ -	\$ 60,000	\$ -	\$ 60,000
Water Main Replacements	\$ -	\$ 78,750	\$ -	\$ 78,750
Water Service Installations	\$ -	\$ 10,000	\$ -	\$ 10,000
Water Main Oversizing	\$ -	\$ -	\$ 75,000	\$ 75,000
JWC Raw Water Pipeline	\$ 1,402,553	\$ -	\$ -	\$ 1,402,553
Defective Meter Replacements	\$ -	\$ 15,000	\$ -	\$ 15,000
Defective Meter Replacements (1 1/2 inch & Larger)	\$ -	\$ 40,000	\$ -	\$ 40,000
Scoggins Dam/Tualatin Water Supply	\$ 640,000	\$ -	\$ -	\$ 640,000
550' Zone 12" Canterbury Loop	\$ 600,000	\$ -	\$ -	\$ 600,000
550' Zone 18" Canterbury Supply Line	\$ 800,000	\$ -	\$ -	\$ 800,000
550' Zone Improvements: 10 MG transfer pump station upgrades	\$ 401,000	\$ -	\$ -	\$ 401,000
550' Zone Improvements: Reservoir No. 2	\$ 2,000,000	\$ -	\$ -	\$ 2,000,000
550' Zone Improvements: Reservoir No. 2 Supply Lines	\$ 200,000	\$ -	\$ -	\$ 200,000
ASR 3	\$ 300,000	\$ -	\$ -	\$ 300,000
Burnham Street - 16-inch Waterline Replacement (Tie to Street Project)	\$ -	\$ 50,000	\$ 50,000	\$ 100,000
Walnut Street (121st to Tiedeman): Relocate 12-inch Waterline	\$ -	\$ 116,000	\$ -	\$ 116,000
Grand Total	\$ 6,343,553	\$ 369,750	\$ 125,000	\$ 6,838,303

Water System Program FY 09-10

	Fund Name			
Project Name	Water CIP	Water Fund	Water SDC	Grand Total
	Fund		Fund	
Defective Meter Replacements (Smaller Sizes)	\$ -	\$ 15,000	\$ -	\$ 15,000
Meter Installations	\$ -	\$ 60,000	\$ -	\$ 60,000
Water Main Replacements	\$ -	\$ 78,750	\$ -	\$ 78,750
Water Service Installations	\$ -	\$ 10,000	\$ -	\$ 10,000
Defective Meter Replacements (1 1/2-inch & Larger)	\$ -	\$ 40,000	\$ -	\$ 40,000
Water Main Oversizing	\$ -	\$ -	\$ 75,000	\$ 75,000
JWC Raw Water Pipeline	\$ 2,970,112	\$ -	\$ -	\$ 2,970,112
Scoggins Dam/Tualatin Water Supply	\$ 658,000	\$ -	\$ -	\$ 658,000
550' Reservoir No. 1	\$ 200,000	\$ -	\$ -	\$ 200,000
550' Zone 12" Canterbury Loop	\$ 120,000	\$ -	\$ -	\$ 120,000
550' Zone 18" Canterbury Supply Line	\$ 300,000	\$ -	\$ -	\$ 300,000
ASR 4	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
Main Line Improvements from Beaverton 550' Connection	\$ -	\$ 84,000	\$ 116,000	\$ 200,000
Walnut Street (121st to Tiedeman): Relocate 12-inch Waterline	\$ -	\$ 39,000	\$ -	\$ 39,000
Grand Total	\$ 5,248,112	\$ 326,750	\$ 191,000	\$ 5,765,862

Water System Program FY 10-11

	Fund Name			
Project Name	Water CIP	Water Fund	Water SDC	Grand Total
	Fund		Fund	
Defective Meter Replacements (Smaller Sizes)	\$ -	\$ 15,000	\$ -	\$ 15,000
Meter Installations	\$ -	\$ 60,000	\$ -	\$ 60,000
Water Main Replacements	\$ -	\$ 78,750	\$ -	\$ 78,750
Water Service Installations	\$ -	\$ 10,000	\$ -	\$ 10,000
Defective Meter Replacements (1 1/2-inch & Larger)	\$ -	\$ 40,000	\$ -	\$ 40,000
Water Main Oversizing	\$ -	\$ -	\$ 75,000	\$ 75,000
JWC Raw Water Pipeline	\$ 2,970,112	\$ -	\$ -	\$ 2,970,112
Scoggins Dam/Tualatin Water Supply	\$ 1,016,000	\$ -	\$ -	\$ 1,016,000
550' Reservoir No. 1	\$ 2,000,000	\$ -	\$ -	\$ 2,000,000
ASR 4	\$ 300,000	\$ -	\$ -	\$ 300,000
Main Line Improvements from Beaverton 550' Connection	\$ -	\$ 84,000	\$ 116,000	\$ 200,000
Grand Total	\$ 6,286,112	\$ 287,750	\$ 191,000	\$ 6,764,862

FIVE YEAR COMMUNITY INVESTMENT PROGRAM

UNFUNDED SYSTEM PROGRAM PROJECTS

Category	Total Project Cost	Unfunded Project Cost
Park System Program		
Purchase & Develop 2.74 acres Neighborhood Park Site (FY 2007-08)*	\$1,123,400	\$1,123,400
Purchase & Develop 3-acre Neighborhood Park Site (FY 2007-08)*	1,230,000	1,230,000
Purchase & Develop 3-acre Neighborhood Park Site (FY 2008-09)*	1,230,000	1,230,000
Purchase & Develop 3-acre Neighborhood Park Site (FY 2008-09)	750,000	450,750
Purchase & Develop 3-acre Neighborhood Park Site (FY 2009-10)*	1,230,000	1,230,000
Purchase & Develop 3-acre Neighborhood Park Site (FY 2009-10)	750,000	450,750
Purchase & Develop 3-acre Neighborhood Park Site (FY 2010-11)*	1,230,000	1,230,000
Purchase & Develop 3-acre Neighborhood Park Site (FY 2010-11)	750,000	450,750
Purchase & Develop 20-acre Community Park (FY 2010-11)	3,800,000	1,740,400
Purchase & Develop 5.1 miles of trails (FY 2010-11)	<u>2,657,200</u>	<u>2,054,000</u>
Parks System Program Subtotal	<u>\$14,750,600</u>	<u>\$11,190,050</u>

*These projects are not SDC eligible as they will be built within existing neighborhoods. SDCs may only be used for growth and not for deficiencies in the current park inventory. Therefore, they must be fully funded by non-SDC revenues, which have not been identified.

Storm Drainage System Program

Culvert Replacement (three per year for next five years)	\$1,350,000	\$830,000
Outfall Replacement or Upgrade (1 to 2 per year for next five years)	<u>630,000</u>	<u>180,000</u>
Storm Drainage System Program Subtotal	<u>\$1,980,000</u>	<u>\$1,010,000</u>

Streets System Program

Collectors and Arterials

Walnut Street – Tiedeman to 121st	\$1,800,000	\$1,800,000
121st Avenue – Quail Creek Lane to Walnut	2,000,000	2,000,000
121st Avenue – Walnut to North Dakota	2,000,000	2,000,000
Tiedeman Ave. – Greenburg to Tigard St.	900,000	900,000
Greenburg Road Improvements (Shady Lane to Tiedeman Avenue)	5,000,000	5,000,000
Hall Blvd/Scoffins/Hunziker Intersection Realignment	2,000,000	2,000,000
Bull Mountain Road/Highway 99W Improvements	500,000	500,000
Greenburg Road/Highway 99W/Main Street Intersection Improvements	3,500,000	3,500,000
Beef Bend Road/Highway 99W Improvements	500,000	500,000
72nd Avenue - Hampton to Dartmouth	2,500,000	2,500,000
72nd Avenue - Dartmouth to Highway 99W	2,600,000	2,600,000
68th Avenue/Dartmouth Signalization (Excluding Street Improvements)	<u>200,000</u>	<u>200,000</u>
Collectors and Arterials Subtotal	<u>\$23,500,000</u>	<u>\$23,500,000</u>

Neighborhood Routes

Fonner Street - Walnut to 115th Avenue	\$1,800,000	\$1,800,000
Tigard Street – Main to Tiedeman (south side)	1,200,000	1,200,000
79th Avenue – Bonita Road to Durham Road	3,000,000	3,000,000
98th Avenue – Greenburg Road to Pihlas Court	300,000	300,000
North Dakota Street (Greenburg Road to 95th Avenue)	<u>200,000</u>	<u>200,000</u>
Neighborhood Routes Subtotal	<u>\$6,500,000</u>	<u>\$6,500,000</u>

Street System Program Subtotal	<u>\$30,000,000</u>	<u>\$30,000,000</u>
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Unfunded System Program Projects Total	<u>\$46,730,600</u>	<u>\$42,200,050</u>
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Agenda Item #
Meeting Date

7
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES QUALIFYING FOR STATE SHARED REVENUES

Prepared By: Robert Sesnon Dept Head Okay RLS City Mgr Okay cl

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Shall the City Council approve a resolution certifying that the City of Tigard provides certain services making the City eligible to receive state shared revenues?

STAFF RECOMMENDATION

Staff recommends approval of the attached resolution.

KEY FACTS AND INFORMATION SUMMARY

The City has estimated the receipt of the following state shared revenues:

	<u>FY 2006-07</u>	<u>FY 2005-06</u>
Cigarette Tax	\$75,000	\$81,115
Liquor Tax	\$451,360	\$409,675
State Gas Tax	\$2,208,000	\$2,232,900

The State of Oregon requires the City to certify its eligibility to receive these revenues by stating that it provides more than four of the services listed in ORS 221.760. The City does provide a sufficient number of required services and is therefore eligible for receiving the state shared revenues. The services the City provides include police services; street construction, maintenance, and lighting; sanitary sewer and storm water management; planning, zoning, and subdivision control; and water utility. Approval of the attached resolution will meet the State of Oregon requirement of certification.

OTHER ALTERNATIVES CONSIDERED

Not accept the revenues from the State of Oregon

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Acceptance of these revenues will assist in the funding of City goals and strategies.

ATTACHMENT LIST

Certifying resolution.

FISCAL NOTES

Approval of the resolution would secure an estimated \$2,734,360 in revenue for the City.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION CERTIFYING THAT THE CITY OF TIGARD PROVIDES SERVICES
QUALIFYING FOR STATE SHARED REVENUES

WHEREAS, ORS 221.760 (1) provides as follows:

The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.82, and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection
- (2) Fire protection
- (3) Street construction, maintenance, and lighting
- (4) Sanitary sewers
- (5) Storm sewers
- (6) Planning, zoning, and subdivision control
- (7) One or more utility services

And,

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City of Tigard hereby certifies that it provides the following four or more services enumerated in Section 1, ORS 221.760:

- (1) Police protection
- (2) Street construction, maintenance, and lighting
- (3) Sanitary sewers
- (4) Storm sewers
- (5) Planning, zoning, and subdivision control
- (6) Water utility

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Agenda Item #
Meeting Date

8
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

Prepared By: Robert Sesnon Dept Head Okay RS City Mgr Okay CL

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Shall the City Council approve a resolution declaring the City's election to receive state revenue sharing funds?

STAFF RECOMMENDATION

Staff recommends the approval of the attached resolution.

KEY FACTS AND INFORMATION SUMMARY

The City has estimated the receipt of \$328,400 of state revenue sharing funds in the FY 2006-07 budget. Such funds are available from the state for those cities that meet certain requirements. The major requirement is that a City must have levied property taxes in the previous year. The requirements also include having a public hearing before the Budget Committee and a public hearing before the City Council. The hearing before the Budget Committee was held on May 1, 2006. Approval of the attached resolution will meet the state requirements for the City's election to receive these funds.

OTHER ALTERNATIVES CONSIDERED

Not accept the revenues from the State of Oregon.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Acceptance of this revenue will assist in the funding of City goals and strategies.

ATTACHMENT LIST

Resolution declaring City election to receive state revenue sharing funds.

FISCAL NOTES

Approval of this resolution would secure \$328,400 of revenue for the General Fund.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

WHEREAS, State Revenue Sharing Law, ORS 221.770, requires cities to annually pass an ordinance or resolution requesting state revenue sharing money; and

WHEREAS, the law mandates public hearings be held by the City and that certification of these hearings is also required; and

WHEREAS, in order to receive state revenue sharing in FY 2006-07, the City must have levied property taxes in the preceding year; and

WHEREAS, the City did levy property taxes in FY 2005-06.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Pursuant to ORS 221.770, the City hereby elects to receive state revenues for the Fiscal Year 2006-07.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Agenda Item #

9

Meeting Date

June 13, 2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2006-07

Prepared By: Robert Sesnon Dept Head Okay RS City Mgr Okay CS

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Oregon Local Budget Law requires that a budget for the following fiscal year be adopted by the City Council prior to July 1, after approval by the Budget Committee and after a public hearing has been held before the City Council.

STAFF RECOMMENDATION

Staff recommends adoption of the FY 2006-07 Budget.

KEY FACTS AND INFORMATION SUMMARY

The Tigard Budget Committee (comprised of the City Council and five citizens) held four meetings on the City Manager's Proposed FY 2006-07 Budget in April and May 2006. On May 15, the Budget Committee approved the Proposed Budget with amendments and forwarded the Budget to the City Council for adoption.

The attached Schedule of Appropriations reflects these amendments along with minor adjustments in transfers between funds that were necessitated by changes in the City's cost allocation plan to implement the Budget Committee's amendments.

For FY 2006-07, one new fund is being established and two funds are being eliminated. A new local improvement district (LID) may be formed in the coming fiscal year, if the City Council approves the creation of the district after consideration of the Preliminary Engineer's Report. The Tigard Triangle LID #1 Fund is being created in anticipation of the district's creation in FY 2006-07. If the Council does not approve the creation of the LID, the fund will become inactive. The 79th Avenue LID Fund and the Wall Street LID are both being eliminated in the FY 2006-07 budget as neither of these local improvement districts were created.

Oregon Local Budget Law gives the governing body of the jurisdiction authority to make certain changes in the Approved Budget prior to adoption. The City Council may adjust resources or expenditures up or down as long as the increase in a fund does not exceed 10% of the fund total. No adjustments to the Approved Budget have been proposed.

The total FY 2006-07 City of Tigard Budget will be \$77,738,518.

OTHER ALTERNATIVES CONSIDERED

Since no amendments have been proposed, no other alternatives are being considered. By Oregon law, the FY 2006-07 Budget must be adopted by the City Council prior to July 1, 2006.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

The overall Approved Budget includes funding to accomplish the Council and Vision Task Force Goals. Specifically, the budget includes \$65,000 for the revision of the City of Tigard Comprehensive Plan, approximately \$3 million for catalyst capital projects for the downtown, \$95,000 to begin work on improving the 99W corridor, \$1.2 million to purchase additional parkland and greenspace, and \$560,000 to obtain a long-term water source.

ATTACHMENT LIST

Resolution adopting the budget and Exhibit A (Schedule of Appropriations).

FISCAL NOTES

The Approved Budget includes total appropriations of \$77,738,518.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION OF THE CITY OF TIGARD ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2006-07.

WHEREAS, the budget for the City of Tigard for year beginning July 1, 2006 was duly approved and recommended to the City Council by the regularly constituted Budget Committee at its meeting on May 15, 2006, after proceedings in accordance with Chapter 294, Oregon Revised Statutes; and

WHEREAS, a summary of the budget as required by Chapter 294.416 was duly published in the Tigard Times, a newspaper of general circulation in the City in accordance with Chapter 294.421; and

WHEREAS, a hearing by the Tigard City Council on the budget document, as approved by the Budget Committee, was duly called and held on June 13, 2006, where all interested persons were afforded an opportunity to appear and be heard with respect to the budget; and

WHEREAS, a new fund needs to be established to record the revenues and expenditures relating to the Tigard Triangle Local Improvement District #1; and

WHEREAS, the local improvement districts related to the 79th Avenue LID Fund and the Wall Street LID Fund were not created and the funds are no longer needed.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Council adopts the budget for FY 2006-07 in the total amount of \$77,738,518.

SECTION 2: The appropriations for the fiscal year beginning July 1, 2006 are established as shown in attached Exhibit A.

SECTION 3: The Tigard Triangle LID #1 Fund is created to track revenue and expenditures for those purposes.

SECTION 4: The 79th Avenue LID and Wall Street LID Funds are dissolved.

SECTION 5: The City of Tigard City Council hereby imposes the taxes provided for in the adopted budget at the rate of \$2.5131 per \$1,000 of assessed value for general operations; and in the amount of \$928,065 for bonds; and that these taxes are hereby imposed and categorized for tax year 2006-07 upon the assessed value of all taxable property in the City.

General Fund General Government Limit
\$2,513,100/\$1,000,000

General Obligation Debt Fund Excluded from Limit
\$928,065

SECTION 6: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
General Fund				
	Community Services	\$12,385,678	\$52,012	\$12,437,690
	Public Works	2,920,148	57,264	2,977,412
	Development Services	2,973,048	13,855	2,986,903
	Policy and Administration	367,191	(18,826)	348,365
	General Government	75,000	0	75,000
	Debt Service	0	0	0
	Transfer	4,583,769	292,783	4,876,553
	Capital Improvements	0	0	0
	Contingency	1,000,000	0	1,000,000
	Total Fund	\$24,304,834	\$397,089	\$24,701,923
Sanitary Sewer Fund				
	Community Services	\$0	\$0	\$0
	Public Works	804,341	879	805,220
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	546,812	(117,166)	429,647
	Capital Improvements	2,500,000	20,000	2,520,000
	Contingency	729,600	(166,300)	563,300
	Total Fund	\$4,580,753	(\$262,587)	\$4,318,167
Stormwater Fund				
	Community Services	\$0	\$0	\$0
	Public Works	861,639	79,988	941,627
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	375,668	(86,279)	289,389
	Capital Improvements	466,000	0	466,000
	Contingency	100,000	100,000	200,000
	Total Fund	\$1,803,307	\$93,709	\$1,897,016

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Water Fund				
	Community Services	\$0	\$0	\$0
	Public Works	5,772,147	(2,218)	5,769,929
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	1,756,924	(378,766)	1,378,158
	Capital Improvements	859,110	0	859,110
	Contingency	590,000	400,000	990,000
	Total Fund	\$8,978,181	\$19,016	\$8,997,197
Water CIP Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	0	0	0
	Capital Improvements	5,910,000	0	5,910,000
	Contingency	886,500	0	886,500
	Total Fund	\$6,796,500	\$0	\$6,796,500
Water Quality/Quantity Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	59,684	15,851	75,535
	Capital Improvements	315,000	25,000	340,000
	Contingency	47,250	0	47,250
	Total Fund	\$421,934	\$40,851	\$462,785

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Water SDC Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	780,000	0	780,000
	Capital Improvements	608,360	30,000	638,360
	Contingency	91,250	0	91,250
	Total Fund	\$1,479,610	\$30,000	\$1,509,610
Building Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	1,811,788	(52,237)	1,759,551
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	416,129	(32,015)	384,115
	Capital Improvements	0	0	0
	Contingency	270,300	0	270,300
	Total Fund	\$2,498,217	(\$84,252)	\$2,413,966
Criminal Forfeiture Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	50,000	0	50,000
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$50,000	\$0	\$50,000

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Electrical Inspection Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	322,347	(13,370)	308,977
	Capital Improvements	0	0	0
	Contingency	48,000	0	48,000
	Total Fund	\$370,347	(\$13,370)	\$356,977
Gas Tax Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	460,000	0	460,000
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	1,507,124	75,228	1,582,352
	Capital Improvements	2,535,000	350,000	2,885,000
	Contingency	437,000	(37,000)	400,000
	Total Fund	\$4,939,124	\$388,228	\$5,327,352
Insurance Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	0	0	0
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$0	\$0	\$0

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Parks SDC Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	1,111,929	342,501	1,454,430
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$1,111,929	\$342,501	\$1,454,430
Street Maintenance Fee Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	134,800	0	134,800
	Capital Improvements	950,000	0	950,000
	Contingency	80,000	0	80,000
	Total Fund	\$1,164,800	\$0	\$1,164,800
Traffic Impact Fee Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	122,434	4,898	127,331
	Capital Improvements	1,450,000	80,000	1,530,000
	Contingency	217,500	0	217,500
	Total Fund	\$1,789,934	\$84,898	\$1,874,831

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Traffic Impact Fee Urban Services Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	12,211	409	12,620
	Capital Improvements	175,000	0	175,000
	Contingency	26,000	0	26,000
	Total Fund	\$213,211	\$409	\$213,620
Underground Utility Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	0	0	0
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$0	\$0	\$0
Urban Services Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	523,473	(13,158)	510,315
	Capital Improvements	0	0	0
	Contingency	50,000	0	50,000
	Total Fund	\$573,473	(\$13,158)	\$560,315

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Bancroft Bond Debt Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	1,322,257	0	1,322,257
	Transfer	0	0	0
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$1,322,257	\$0	\$1,322,257
General Obligation Bond Debt Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	975,414	0	975,414
	Transfer	0	0	0
	Capital Improvements	0	0	0
	Contingency	0	0	0
	Total Fund	\$975,414	\$0	\$975,414
Facility Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	0	0	0
	Capital Improvements	1,795,197	(581,000)	1,214,197
	Contingency	260,000	0	260,000
	Total Fund	\$2,055,197	(\$581,000)	\$1,474,197

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Parks Capital Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	282,025	0	282,025
	Transfer	0	0	0
	Capital Improvements	1,828,363	629,513	2,457,876
	Contingency	150,000	0	150,000
	Total Fund	\$2,260,388	\$629,513	\$2,889,901
Tigard Triangle LID #1 Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	0	0	0
	Capital Improvements	1,750,000	0	1,750,000
	Contingency	45,000	0	45,000
	Total Fund	\$1,795,000	\$0	\$1,795,000
Central Services Fund				
	Community Services	\$0	\$0	\$0
	Public Works	0	0	0
	Development Services	0	0	0
	Policy and Administration	4,409,308	(24,069)	4,385,239
	General Government	519,783	(2,786)	516,997
	Debt Service	0	0	0
	Transfer	203,989	84	204,073
	Capital Improvements	0	0	0
	Contingency	738,500	0	738,500
	Total Fund	\$5,871,580	(\$26,771)	\$5,844,809

Exhibit A
Schedule of Appropriations
Fiscal Year 2006-07
Resolution No.

Fund	Program	Proposed	Budget Committee Changes	Approved
Fleet/Property Management Fund				
	Community Services	\$0	\$0	\$0
	Public Works	1,159,368	(3,692)	1,155,676
	Development Services	0	0	0
	Policy and Administration	0	0	0
	General Government	0	0	0
	Debt Service	0	0	0
	Transfer	87,517	(743)	86,774
	Capital Improvements	0	0	0
	Contingency	95,000	0	95,000
	Total Fund	\$1,341,885	(\$4,435)	\$1,337,450
Total Appropriations		\$76,697,876	\$1,040,642	\$77,738,518

Agenda Item #
Meeting Date

10
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Consider a Resolution Adopting the Citywide Master Fees and Charges Schedule, Which Replaces Resolution No. 05-42 and All Subsequent Amendments to Date.

Prepared By: Michelle Wareing Dept Head Okay [Signature] City Mgr Okay [Signature]

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Should the City Council approve a resolution to adopt the Master Fees and Charges Schedule?

STAFF RECOMMENDATION

Staff recommends that Council adopt the resolution.

KEY FACTS AND INFORMATION SUMMARY

Tigard Municipal Code (TMC) 3.32.050 requires that the City Council review fees and charges annually. The Master Fees and Charges Schedule contains all citywide fees and charges and is updated annually in June. The purpose of the Schedule is to streamline the review process, have one document containing all fees and charges, and minimize the number of resolutions and ordinances relating to fees and charges.

Staff has reviewed the Schedule and is proposing a few new fees and changes to specific, existing fees. There are various reasons for the proposed changes. Several of the fees are either adjusted annually by previously approved formulas or are set by other agencies. Other fees are no longer adequately recovering the City's cost of providing the service. Finally, some fees are related to services that the City is providing or plans to provide because of new technology, but a fee has not been set to recover the costs related to these services. Below is a summary of the proposed fee changes, additions, or deletions.

Citywide Section:

- Computer disk or compact disk – not recovering costs. These are disks that contain specific, requested data.
- DVD and VHS Copies (Non-Police) - new fee and service already being provided, not recovering costs.

City Administration Section:

- Complete Tigard Code (Titles 1 – 18) on compact disk – new fee, not recovering costs.
- Passport Execution Fee – new fee; amount set by Federal Government.
- Tigard Municipal Code (Titles 1 -17) on compact disk – new fee; not recovering costs.

Community Development Section:

- Metro Construction Excise Tax – set by Metro, but collected by cities.
- Sanitary Sewer Connection Fee – set by Clean Water Services
- Annexation Fee – a moratorium will be placed on this fee beginning July 1, 2006 and will stay in effect until June 30, 2008.

- Planning Fees – updated annually using the Construction Cost Index (CCI) for Seattle that is published in the April Engineering News Review (ENR) issues; the April 1, 2006 ENR issue listed the CCI for Seattle as 3.1%
- Community Development Code (Titles 1 -17) on compact disk – new fee; not recovering costs.

Library Section:

- Headphones – new fee and service; not recovering costs
- Over Due Items (All Items Except DVDs) – fee formerly applied to books and other non-video items; now includes all Library materials except DVDs.
- Over Due Items Maximum Charge – set in conjunction with Washington County Cooperative Library Services. Incorrectly listed; fee was increased last year.

Police Section:

- Law Enforcement Officers Safety Act Qualification Fee – new fee and service, need to recover costs.

Public Works – Water Section:

- Sanitary Sewer Service – set by Clean Water Services.

System Development Charge Section:

- Traffic Impact Fee – set by Washington County.

The proposed new fees are bolded and the current fees are struck through in Exhibit A of the resolution. Only those fees listed above will be adjusted; all other fees listed in Exhibit A will remain as is.

OTHER ALTERNATIVES CONSIDERED

Increase only those fees that are set by other agencies or are increased annually using an already approved formula.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

City Council other important goals: “Stabilize Financial Picture, Review Financial Strategy Task Force recommendations.” Task Force has recommended that the City keep its fees current, that the fees recover the cost of providing the service, and that they are reviewed on an annual basis.

ATTACHMENT LIST

Resolution and Exhibit A, the Master Fee and Charges Schedule with proposed changes.
Memo from Chief Bill Dickinson regarding Law Enforcement Officers Safety Act Qualification Fee.

FISCAL NOTES

There are no additional costs attached to these changes. The annually adjusted fee increases, such as Land Use fees, Traffic Impact, and Park System Development Charges, are reflected in the FY 2006-07 Adopted Budget, all other increases and new fees are not reflected.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-_____

A RESOLUTION ADOPTING THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE WHICH REPLACES RESOLUTION NO. 05-42 AND ALL SUBSEQUENT AMENDMENTS TO DATE.

WHEREAS, the City has a Master Fees and Charges Schedule; and

WHEREAS, City staff has reviewed fees and services provided; and

WHEREAS, City staff has proposed a few new fees and changes to certain fees to recover costs or due to previously approved annual adjustment formulas; and

WHEREAS, the City's Master Fees and Charges Schedule includes fees set by other agencies; and

WHEREAS, Tigard Municipal Code (TMC) 3.32.050 requires that the City Council review fees and charges annually.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The fees and charges for the City of Tigard are enumerated and set as shown in the attached schedule (Exhibit A).

SECTION 2: This resolution is effective July 1, 2006.

PASSED: This _____ day of _____ 2006.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

CITY OF TIGARD

FEES AND CHARGES SCHEDULE



FY 2006-07

Resolution No.

TABLE OF CONTENTS

CITYWIDE	1
Attorney Time.....	1
Audiotapes.....	1
Computer disk or Compact disk	1
DVD and VHS Copies (Non-Police)	1
Faxes	1
Microprints	1
Photocopies & Microfilm Copies.....	1
Photographs	1
Recording of Documents	1
Research Fee	1
CITY ADMINISTRATION.....	2
Claims Application Fee	2
Complete Code (Titles 1-18) (CD).....	2
Meeting Room Reservation Fees & Deposits	2
Municipal Court Fees	4
Passport Execution Fee	5
Public Assembly	5
Tigard Municipal Code (Titles 1-17) (CD)	5
COMMUNITY DEVELOPMENT	6
Building	
Building Permit Fees	6
Building Plan Review Fee.....	7
Deferred Submittals	7
Electrical Fees	7
Erosion Control Permit Fee	8
Erosion Control Plan Check Fee.....	8
Fee in Lieu of Sewer	8
Fire Life Safety Plan Review.....	9
Manufactured Dwelling Installation	9
Mechanical Fees (1 and 2 Family Dwellings).....	9
Mechanical Permit Fees (Comercial and Multi-Family).....	11
Metro Construction Excise Tax	12
Phase Permitting	12
Plumbing Fees.....	12

Residential Fire Suppression Systems Permit.....	14
Restricted Energy	15
Sanitary Sewer Connection Fee.....	15
Sanitary Sewer Inspection Fee.....	15
Tree Replacement Fee	15
Water Quality Facility Fee.....	15
Water Quantity Facility Fee	15
Miscellaneous Fees	15
Planning	
Accessory Residential Units.....	17
Annexation.....	17
Appeal.....	17
Approval Extension	17
Blasting Permit.....	17
Conditional Use	17
Design Evaluation Team (DET) Recommendation (deposit).....	18
Development Code Provision Review.....	18
Expedited Review.....	18
Hearing Postponement.....	18
Historic Overlay/Review District.....	18
Home Occupation Permit.....	19
Interpretation of the Community Development Code.....	19
Joint Application Planning Fee	19
Land Partition.....	19
Lot Line Adjustment.....	19
Minor Modification to Approved Plan.....	19
Non-Conforming Use Confirmation	20
Planned Development	20
Plat Name Change.....	20
Pre-Application Conference	20
Sensitive Lands Review	20
Sign Permit.....	20
Site Development Review	21
Subdivision.....	21
Temporary Use	21
Tree Removal	21
Vacation (Streets and Public Access).....	22
Variance/Adjustment	22
Zoning Map/Text Amendment	23
Zoning Analysis (Detailed)	23
Zoning Inquiry Letter (Simple).....	23

Miscellaneous Fees & Charges	24
Engineering	
Addressing Assignment Fee	26
Engineering Public Improvement Design Standards.....	26
Erosion Control Permit Fee.....	26
Erosion Control Plan Check Fee.....	26
Fee in Lieu of Bicycle Striping	26
Fee in Lieu of Undergrounding.....	26
Local Improvement District Assessments	26
Public Facility Improvement Permit.....	26
Reimbursement District Application Fee.....	26
Reimbursement District Fee.....	27
Street Maintenance Fee	27
Streetlight Energy & Maintenance Fee	27
Traffic/Pedestrian Signs.....	27
Traffic Control Devices.....	27
FINANCIAL & INFORMATION SERVICES	28
Assessment Assumption	28
Budget Document.....	28
Business Tax.....	28
Comprehensive Annual Financial Report.....	28
Franchise Fee.....	29
Lien Search Fee	29
Returned Check Fee	29
LIBRARY	30
Disk (Blank)	30
Headphones	30
Lost Items.....	30
Overdue Items	30
Public Copier Charges.....	30
POLICE	31
Alarm Permits	31
Failure to Obtain or Renew Alarm Permit Fee.....	31
False Alarm Charge.....	31
Law Enforcement Officers Safety Act Qualification Fee.....	31
Liquor License	31
Police Services Fees	31
Property Forfeiture for Criminal Activity.....	31

Second Hand Dealers and Transient Merchant License	31
Vehicle Release Fee.....	31
PUBLIC WORKS	32
Encroachment Permit	32
Park Reservation Fee.....	32
Solid Waste Compactor Permit	32
PUBLIC WORKS - UTILITIES	33
Booster Pump Charge	33
Customer Charge.....	33
Fire Hydrant Usage – Temporary	33
Fire Rates (Sprinklers)	33
Fire Service Connection.....	33
Meter Disconnection	33
Meter Installation Fees.....	34
Meter Out-of-Order Test	34
Sanitary Sewer Service	34
Service Line Installation	34
Storm and Surface Water	34
Water Disconnection Charge for Non-payment	34
Water Line Construction – New Development	34
Water Main Extension.....	34
Water Usage Charges.....	35
SYSTEM DEVELOPMENT CHARGE.....	36
Park SDC	36
Traffic Impact Fee	38
Water SDC	39
APPENDIX.....	
Methodology to Calculate Park SDC.....	40
Methodology to Calculate Traffic Impact Fee.....	44
Methodology to Calculate Water SDC.....	46

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
CITYWIDE			
	<i>Attorney Time</i>	Attorney billing rate	1999
	<i>Audiotapes</i>	\$6.00	7/1/2003
	<i>Computer disk or Compact disk</i>	\$5.00 \$10.00	2/7/2002 7/1/2006
	<i>DVD and VHS Copies (Non-Police)</i>	\$12.00	7/1/2006
	<i>Faxes</i>	Long distance charges when applicable	7/1/2003
	<i>Microprints</i>	\$0.25/page	2000
	<i>Photocopies & Microfilm Copies</i>		
	8 1/2 x 11	\$0.25/page	1999
	11 x 14	\$0.50/page	1999
	11 x 17	\$1.00/page	7/1/2005
	<i>Photographs</i>	Actual Cost	1999
	<i>Recording of Documents</i>	Actual Cost	1999
	<i>Research Fee</i>	Staff cost plus materials	2/7/2002

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
CITY ADMINISTRATION			
	<i>Claims Application Fee</i>	\$1,000.00/deposit*	11/28/2000
	*Application fee shall be actual cost incurred by the City to process application. Any funds remaining from the deposit after the application has been processed will be refunded to the applicant, and applicant shall be responsible for any additional costs incurred.		
	<i>Complete Code (Titles 1 - 18)</i>	\$75.00	2/7/2002
	Compact Disk (CD)	\$20.00	7/1/2006
	<i>Meeting Room Reservation Fees & Deposits</i>		7/1/2004
	Alarm Fee (Senior Center and Library Community Room)		
	First time call-out	\$50.00	
	Second call-out within a one-year period	\$75.00	
	Third call-out within a one-year period	\$75.00 and suspension of room use privileges for three months	
	Cancelation Fee	\$10.00	
	Cleaning Deposit	\$100.00	
	Library Community Room Room Rental		7/1/2004
	Group 1	\$25.00/hr	
	Group 2	\$40.00/hr	
	Group 3	\$50.00/hr	
	Pantry Rental		
	Group 1	\$5.00/hr	
	Group 2	\$5.00/hr	
	Group 3	\$5.00/hr	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Equipment Rental		
	Sound System with Microphone	\$10.00	
	PowerPoint Projector and Screen	\$10.00	
	TV with VCR/DVD	\$10.00	
	Stage Lighting	\$10.00	
	Library Conference Room		
	Group 1	\$5.00/hr	
	Group 2	\$10.00/hr	
	Group 3	\$15.00/hr	
	Red Rock Creek Conference Room		7/1/2003
	Group 1	\$5.00/hr	
	Group 2	\$10.00/hr	
	Group 3	\$15.00/hr	
	Richard M. Brown Auditorium		
	Group 1	\$12.00/hr	
	Group 2	\$17.00/hr	
	Group 3	\$22.00/hr	
	Senior Center Upstairs Activity Room		
	Group 1	\$15.00/hr	
	Group 2	\$20.00/hr	
	Group 3	\$25.00/hr	
	Senior Center Downstairs Activity Room		
	Group 1	\$10.00/hr	
	Group 2	\$15.00/hr	
	Group 3	\$20.00/hr	
	Senior Center Classroom or Craft Room		
	Group 1	\$5.00/hr	
	Group 2	\$10.00/hr	
	Group 3	\$15.00/hr	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Town Hall		
	Group 1	\$10.00/hr	
	Group 2	\$15.00/hr	
	Group 3	\$20.00/hr	
	Water Lobby Conference Room		
	Group 1	\$5.00/hr	
	Group 2	\$10.00/hr	
	Group 3	\$15.00/hr	
	<i>Municipal Court Fees</i>		
	Civil Compromise	\$150.00	4/10/2003
	Copies-	\$0.25/page	
	Diversion		
	<i>Traffic School and Compliance Program Fee</i>		
	Criminal	\$150.00	4/10/2003
	Juvenile non-traffic	\$75.00	4/10/2003
	Traffic School	\$55.00	4/10/2003
			5/25/2006
		Equal to the relevant fine provided for the violation in the Violations Bureau Fine Schedule	
	Seat Belt Safety Class	\$20.00	
	Traffic School Setover	\$20.00	4/10/2003
	License Reinstatement	\$15.00	4/10/2003
	Payment Agreement Administrative Fee	\$15.00	4/10/2003
	Overdue Payment Letter	\$10.00	4/10/2003
	Show Cause Hearings - Court Costs		4/10/2003
	Non-compliance	\$25.00	
	Non-payment - fees paid prior to hearing	No Fee	
	Warrant Fee	\$50.00	4/10/2003

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Passport Execution Fee</i>	\$30.00	1/1/2006
	<i>Public Assembly</i>		8/25/1970
	Application Fee		
	Persons Reasonably Anticipated		
	1,000 to 2,499	\$100.00	
	2,500 to 4,999	\$150.00	
	5,000 to 9,999	\$500.00	
	10,000 to 49,999	\$1,000.00	
	50,000 and over	\$1,500.00	
	<i>Tigard Municipal Code (Titles 1 - 17)</i>	\$50.00	2/7/2002
	Compact Disk (CD)	\$10.00	7/1/2006

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - BUILDING			
	<i>Building Permit Fees</i>		9/26/2000
	(Commercial, Multi-family and Single-family)		
	<u>Total Valuation:</u>		
	\$1 - \$2,000	Minimum \$62.50	
	\$2,001 - \$25,000	\$62.50 for the first \$2,000 and \$9.60 for each additional \$1,000 or fraction thereof, to and including \$25,000.	
	\$25,001 - \$50,000	\$283.30 for the first \$25,000 and \$7.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.	
	\$50,001 - \$100,000	\$470.80 for the first \$50,000 and \$5.47 for each additional \$1,000 or fraction thereof, to and including \$100,000.	
	\$100,001 - \$250,000	\$744.30 for the first \$100,000 and \$3.90 for each additional \$1,000 or fraction thereof, to and including \$250,000.	
	\$250,001 - \$600,000	\$1,329.30 for the first \$250,000 and \$3.85 for each additional \$1,000 or fraction thereof, to and including \$600,000.	
	\$600,001 - \$1,200,000	\$2,676.80 for the first \$600,000 and \$3.51 for each additional \$1,000 or fraction thereof, to and including \$1,200,000.	
	\$1,200,001 - \$2,000,000	\$4,782.80 for the first \$1,200,000 and \$2.73 for each additional \$1,000 or fraction thereof, to and including \$2,000,000.	
	\$2,000,001 and up	\$6,966.80 for the first \$2,000,000 and \$2.72 for each additional \$1,000 or fraction thereof	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Building Plan Review Fee</i>	65% of base building permit fee	9/26/2000
	<i>Deferred Submittals</i>		
	Plan Review	Minimum Fee \$200.00	9/24/2002
		65% of building permit fee based on valuation of the particular portion or portions of the project.	
	<i>Electrical Fees</i>		6/27/2000
	New residential, single or multi-family per dwelling unit; service included:		
	1000 square feet or less	\$145.15	
	Each additional 500 square feet or portion thereof	\$33.40	
	Limited energy	\$75.00	
	Each manufactured home or modular dwelling service or feeder	\$90.90	
	Services or feeders; installation, alterations or relocation:		
	200 amps or less	\$80.30	
	201 amps to 400 amps	\$106.85	
	401 amps to 600 amps	\$160.60	
	601 amps to 1000 amps	\$240.60	
	Over 1000 amps or volts	\$454.65	
	Reconnect only	\$66.85	
	Temporary services or feeders; installation, alteration or relocation:		
	200 amps or less	\$66.85	
	201 amps to 400 amps	\$100.30	
	401 amps to 600 amps	\$133.75	
	Branch circuits; new, alteration or extension per panel:		
	With purchase of service or feeder - each branch circuit	\$6.65	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Without purchase of service or feeder		
	First Branch Circuit	\$46.85	
	Each addit. Branch circuit	\$6.65	
	Miscellaneous (service or feeder not included):		
	Each pump or irrigation circuit	\$53.40	
	Each sign or outline lighting	\$53.40	
	Signal circuit(s) or a limited energy panel, alteration or extension	\$75.00	
	Each additional inspection over the allowable in any of the above (min 1 hr)		
	Per Inspection	\$62.50	
	Per Hour	\$62.50	
	Industrial Plant Inspection	\$73.75/hr (min 1 hour)	
	Electrical permit plan review fee	25% of the electrical permit fee	
	<i>Erosion Control Permit Fee</i>		6/6/2000
	(City receives none of this fee)		
	Less than \$50,000.00	\$26.00	
	\$50,000.00 to \$100,000.00	\$40.00	
	More than \$100,000.00	\$40.00 + \$24.00 for each additional \$100,000.00 or fraction thereof	
	<i>Erosion Control Plan Check Fee</i>	65% of inspection fee	6/6/2000
	(City receives 50% of fee)		
	<i>Fee in Lieu of Sewer</i>	Based on actual cost of sewer connection, if sewer was available	1998
	(Commercial Only)		

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Fire Life Safety Plan Review</i> (Commercial Only)	40% of base building permit fee	9/26/2000
	<i>Manufactured dwelling installation</i>	\$305.50	9/24/2002
	<i>Manufactured dwelling and mobile home parks, recreation camps, and organizational camps</i>	Per OAR	9/24/2002
	<i>Mechanical Fees</i> (1 and 2 Family Dwellings)		6/27/2000
	Description:		
	Furnace to 100,000 BTU including ducts & vents	\$14.00	
	Furnace to 100,000 BTU+ including ducts & vents	\$17.90	
	Floor Furnace including vent	\$14.00	
	Suspended heater, wall heater or floor mounted heater	\$14.00	
	Vent not included in appliance permit	\$6.80	
	<3HP; absorb unit to 100K BTU	\$14.00	
	3-15HP; absorb unit to 100K to 500K BTU	\$25.60	
	15-30HP; absorb unit .5 - 1 mil BTU	\$35.00	
	30-50HP; absorb unit 1 - 1.75 mil BTU	\$52.20	
	>50HP; absorb unit >1.75 mil BTU	\$87.20	
	Air handling unit to 10,000 CFM*	\$10.00	
	*Note: This fee does not apply to an air handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.		
	Air handling unit to 10,000 CFM+	\$17.20	
	Non-portable evaporate cooler	\$10.00	
	Vent fan connected to a single duct	\$6.80	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Ventilation system not included in appliance permit	\$10.00	
	Hood served by mechanical exhaust	\$10.00	
	Domestic incinerators	\$17.40	
	Commercial or industrial type incinerator	\$69.95	
	Repair units	\$12.15	
	Wood stove	\$10.00	
	Clothes dryer, etc.	\$10.00	
	Other units	\$10.00	
	Gas piping one to four outlets	\$5.40	
	More than 4 - per outlet (each)	\$1.00	
	For each appliance or piece of equipment regulated by the Mechanical Code, but not classed in other appliance categories or for which no other fee is listed in the table	\$10.00	
	Minimum Permit Fee	\$72.50	9/24/2002
	Plan Review	25% of Permit Fee	
	Other Inspections and Fees:		
	Inspections outside of normal business hours (minimum charge - 2 hours)	\$62.50/hour	9/24/2002
	Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$62.50/each	9/24/2002
	Additional plan review required by changes, additions or revisions to plans (minimum charge - one-half hour)	\$62.50/hour	9/24/2002

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Mechanical Permit Fees</i>		9/26/2000
	(Commercial and Multi-family)		
	<u>Total Valuation:</u>		
	\$1 - \$5,000	Minimum \$72.50	
	\$5,001 - \$10,000	\$72.50 for the first \$5,000 and \$1.52 for each additional \$100 or fraction thereof, to and including \$10,000.	
	\$10,001 - \$25,000	\$148.50 for the first \$10,000 and \$1.54 for each additional \$100 or fraction thereof, to and including \$25,000.	
	\$25,001 - \$50,000	\$379.50 for the first \$25,000 and \$1.45 for each additional \$100 or fraction thereof, to and including \$50,000.	
	\$50,001 and up	\$742.00 for the first \$50,000 and \$1.20 for each additional \$100 or fraction thereof.	
	\$1 - \$2,000	Minimum \$72.50	9/1/2003
	\$2,001 - \$5,000	\$72.50 for the first \$2,000 and \$2.30 for each additional \$100 or fraction thereof, to and including \$5,000.	
	\$5,001 - \$10,000	\$141.50 for the first \$5,000 and \$1.80 for each additional \$100 or fraction thereof, to and including \$10,000.	
	\$10,001 - \$50,000	\$231.50 for the first \$10,000 and \$1.35 for each additional \$100 or fraction thereof, to and including \$50,000.	
	\$50,001 - \$100,000	\$771.50 for the first \$50,000 and \$1.25 for each additional \$100 or fraction thereof, to and including \$100,000.	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	\$100,001 and up	\$1,396.50 for the first \$25,000 and \$1.10 for each additional \$100 or fraction thereof.	
	Plan Review	25% of permit fee	9/24/2002
	<i>Metro Construction Excise Tax</i> (City will retain 5% for administrative expenses) (Tax set by Metro, but collected by cities)	0.12% of building permits for projects with a total valuation of \$100,001 or more; not to exceed \$12,000	7/1/2006
	<i>Phase Permitting</i>	\$200.00	9/24/2002
	Plan Review	10% of total project building permit fee not to exceed \$1,500 for each phase	
	<i>Plumbing Fees</i>		6/27/2000
	Description:		
	New Single-Family		
	1 Bath	\$249.20	
	2 Bath	\$350.00	
	3 Bath	\$399.00	
	Fixtures (Individual)		
	Sink	\$16.60	
	Lavatory	\$16.60	
	Tub or Tub/Shower Comb.	\$16.60	
	Shower Only	\$16.60	
	Water Closet	\$16.60	
	Dishwasher	\$16.60	
	Garbage Disposal	\$16.60	
	Washing Machine	\$16.60	
	Floor Drain/Floor Sink 2"	\$16.60	
	Floor Drain/Floor Sink 3"	\$16.60	
	Floor Drain/Floor Sink 4"	\$16.60	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Water Heater	\$16.60	
	Laundry Room Tray	\$16.60	
	Urinal	\$16.60	
	Other Fixtures	\$16.60	
	Sewer - 1st 100'	\$55.00	
	Sewer - each additional 100'	\$46.40	
	Water Service - 1st 100'	\$55.00	
	Water Service - each additional 100'	\$46.40	
	Storm & Rain Drain - 1st 100'	\$55.00	
	Storm & Rain Drain - each additional 100'	\$46.40	
	Commercial Backflow Prevention		
	Device or Anti-Pollution Device	\$46.40	
	Residential Backflow Prevention Device	\$27.55	
	Any Trap or Waste Not Connected to a Fixture	\$16.60	
	Catch Basin	\$16.60	
	Inspection of Existing Plumbing	\$72.50/hr	
	Specially Requested Inspections	\$72.50/hr	
	Rain Drain, single family dwelling	\$65.25	
	Grease Traps	\$16.60	
	Hose Bibs	\$16.60	
	Drinking Fountain	\$16.60	
	Roof Drains	\$16.60	
	Minimum Permit Fee	\$72.50	
	Minimum Permit Fee Residential		
	Backflow	\$36.25	
	Plan Review	25% of Permit Fee	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Medical Gas Systems		09/24/002
	<u>Total Valuation:</u>		
	\$1 - \$5,000	Minimum \$72.50	
	\$5,001 - \$10,000	\$72.50 for the first \$5,000 and \$1.52 for each additional \$100 or fraction thereof, to and including \$10,000.	
	\$10,001 - \$25,000	\$148.50 for the first \$10,000 and \$1.54 for each additional \$100 or fraction thereof, to and including \$25,000.	
	\$25,001 - \$50,000	\$379.50 for the first \$25,000 and \$1.45 for each additional \$100 or fraction thereof, to and including \$50,000.	
	\$50,001 and up	\$742.00 for the first \$50,000 and \$1.20 for each additional \$100 or fraction thereof.	
	<i>Residential Fire Suppression Systems Permit</i>		9/24/2002
	Multipurpose or Continuous Loop System		
	<u>Square Footage:</u>		
	0 to 2,000	\$115.00	
	2,001 to 3,600	\$160.00	
	3,601 to 7,200	\$220.00	
	7,201 and greater	\$309.00	
	Stand Alone System		
	<u>Square Footage:</u>		
	0 to 2,000	\$187.50	
	2,001 to 3,600	\$232.50	
	3,601 to 7,200	\$292.50	
	7,201 and greater	\$381.50	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Restricted Energy</i>		6/27/2000
	Residential Energy Use	\$75.00	
	Commercial Energy Use	\$75.00	
	<i>Sanitary Sewer Connection Fee</i>	\$2,600.00/dwelling unit	7/1/2005
	(City receives 20% of fees collected)	\$2,700.00/dwelling unit	7/1/2006
	<i>Sanitary Sewer Inspection Fee</i>		6/6/2000
	Residential	\$35.00	
	Commercial	\$45.00	
	Industrial	\$75.00	
	<i>Tree Replacement Fee</i>	\$125.00/caliber inch	9/1/2001
	<i>Water Quality Facility Fee</i>		6/6/2000
	(City receives 100% of fees collected)		
	Residential Single Family	\$225.00/ unit	
	Commercial & Multi-family	\$225.00/2,640 sq. ft of additional impervious surface	
	<i>Water Quantity Facility Fee</i>		6/6/2000
	(City receives 100% of fees collected)		
	Residential Single Family	\$275.00/ unit	
	Commercial & Multi-family	\$275.00/2,640 sq. ft of additional impervious surface	
	<i>Miscellaneous Fees</i>		6/27/2000
	Address Change	\$65.00	
	Fee paid inspections for residential structures pursuant to Title 14, Chapter 16		
	Single & Two Family Dwellings	\$100.00	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Apartment Houses & Social		
	Care Facilities	\$160.00, plus \$7 for each dwelling unit in excess of 3	
	Hotels	\$160.00, plus \$5 for each dwelling unit in excess of 5	
	Re-inspection		
	Building	\$62.50	9/24/2002
	Mechanical	\$62.50	
	Plumbing	\$62.50	
	Electrical	\$62.50	
	Phased Occupancy	\$200.00	6/27/2000
	Permit or Plan Review Extension	\$72.50	
	Temporary Occupancy	\$90.00	

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - PLANNING			
	<i>Accessory Residential Units</i>	\$126.00	7/1/2005
		\$130.00	7/1/2006
	<i>Annexation</i>	\$2,373.00	7/1/2005
	<i>(As of July 1, 2006 a moratorium on this fee will be in effect and will stay in effect until June 30,2008)</i>	\$2,447.00	7/1/2006
	<i>Appeal</i>		
	Director's Decision (Type II) to Hearings Officer	\$250.00	7/1/2003
	Expedited Review (Deposit)	\$300.00	7/1/2003
	Hearings Referee	\$500.00	7/1/2003
	Planning Commission/Hearing's Officer to City Council	\$2,387.00	7/1/2005
		\$2,461.00	7/1/2006
	<i>Approval Extension</i>	\$251.00	7/1/2005
		\$259.00	7/1/2006
	<i>Blasting Permit</i>	\$255.00	7/1/2005
		\$263.00	7/1/2006
	<i>Conditional Use</i>		7/1/2005
	Initial	\$4,938.00	7/1/2006
		\$5,091.00	
	Major Modification	\$4,938.00	
		\$5,091.00	
	Minor Modification	\$545.00	
		\$562.00	

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Design Evaluation Team (DET) Recommendation (deposit)</i>	\$1,222.00	7/1/2005
		\$1,260.00	7/1/2006
	<i>Development Code Provision Review</i>		7/1/2005
	Single-Family Building Plan	\$49.00	7/1/2006
		\$51.00	
	Commercial/Industrial/Institution	\$312.00	
		\$322.00	
	<i>Expedited Review</i>		7/1/2005
	Land Partition	\$4,164.00	7/1/2006
		\$4,293.00	
	Subdivision	\$4,840.00 + \$85.00/Lot	
		\$5,654.00 + \$88.00/Lot	
	Subdivision with Planned Development	Add \$6,770.00	
		Add \$6,980.00	
	<i>Hearing Postponement</i>	\$246.00	7/1/2005
		\$254.00	7/1/2006
	<i>Historic Overlay/Review District</i>		7/1/2005
	Historic Overlay Designation	\$3,815.00	7/1/2006
		\$3,933.00	
	Removal Historic Overlay Designation	\$3,815.00	
		\$3,933.00	
	Exterior Alteration in Historic Overlay District	\$584.00	
		\$602.00	
	New Construction in Historic Overlay District	\$584.00	
		\$602.00	
	Demolition in Historic Overlay District	\$584.00	
		\$602.00	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Home Occupation Permit</i>		7/1/2005
	Type I	\$38.00	7/1/2006
		\$39.00	
	Type II	\$268.00	
		\$276.00	
	<i>Interpretation of the Community Development Code</i>	\$577.00	7/1/2005
		\$595.00	7/1/2006
	<i>Joint Application Planning Fee</i>	100% of Highest Planning Fee + 50% of all Additional Fees Related to the Proposal.	7/1/2003
	<i>Land Partition</i>		7/1/2005
	Residential and Non-Residential (3 Lots)	\$3,540.00	7/1/2006
		\$3,650.00	
	Residential and Non-Residential (2 Lots)	\$2,913.00	
		\$3,003.00	
	Expedited	\$4,164.00	
		\$4,293.00	
	Final Plat	\$847.00	
		\$873.00	
	<i>Lot Line Adjustment</i>	\$454.00	7/1/2005
		\$468.00	7/1/2006
	<i>Minor Modification to an Approved Plan</i>	\$545.00	7/1/2005
		\$562.00	7/1/2006

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Non-Conforming Use Confirmation</i>	\$257.00	7/1/2005
		\$265.00	7/1/2006
	<i>Planned Development</i>		
	Conceptual Plan Review	\$6,770.00	7/1/2005
		\$6,980.00	7/1/2006
	Detailed Plan Review	Applicable SDR Fee	7/1/2003
	<i>Plat Name Change</i>	\$258.00	7/1/2005
		\$266.00	7/1/2006
	<i>Pre-Application Conference</i>	\$351.00	7/1/2005
		\$362.00	7/1/2006
	<i>Sensitive Lands Review</i>		7/1/2005
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands (Type II)	\$2,286.00	7/1/2006
		\$2,357.00	
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands (Type III)	\$2,461.00	
		\$2,537.00	
	Within the 100-Year Floodplain (Type III)	\$2,461.00	
		\$2,537.00	
	<i>Sign Permit</i>		7/1/2005
	Existing and Modification to an Existing Sign (No Size Differential)	\$38.00	7/1/2006
		\$39.00	
	Temporary Sign (Per Sign)	\$18.00	
		\$19.00	

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Site Development Review & Major Modification</i>		7/1/2005
	Under 100,000.00	\$4,184.00	7/1/2006
		\$4,314.00	
	1 Million/Over	\$5,492.00 + \$5.00/\$10,000.00 over 1- Million	
		\$5,662.00 + \$6.00/\$10,000.00 over 1 Million	
	Minor Modification	\$545.00	
		\$562.00	
	<i>Subdivision</i>		7/1/2005
	Preliminary Plat without Planned Development	\$4,840.00 + \$85.00/lot	7/1/2006
		\$4,990.00 + \$88.00/lot	
	Preliminary Plat with Planned Development	Add \$6,770.00	
		Add \$6,980.00	
	Final Plat	\$1,556.00	
		\$1,604.00	
	<i>Temporary Use</i>		
	Director's Decision	\$286.00	7/1/2005
		\$295.00	7/1/2006
	Special Exemption/Non-Profit	\$0.00	7/1/2003
	<i>Tree Removal</i>		
		\$177.00	7/1/2005
		\$182.00	7/1/2006

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Vacation (Streets and Public Access)</i>	\$2,080.00 Deposit +	7/1/2005
		—Actual Costs	7/1/2006
		\$2,144.00 Deposit +	
		Actual Costs	
	<i>Variance/Adjustment</i>		7/1/2005
	Administrative Variance	\$584.00	7/1/2006
		\$602.00	
	Development Adjustment	\$257.00	
		\$265.00	
	Special Adjustments		
	Adjustment to a Subdivision	\$257.00	
		\$265.00	
	Reduction of Minimum		
	Residential Density	\$257.00	
		\$265.00	
	Access/Egress Standards		
	Adjustment	\$584.00	
		\$602.00	
	Landscaping Adjustments		
	Existing/New Street Trees	\$294.00	
		\$303.00	
	Parking Adjustments		
	Reduction in Minimum or Increase		
	In Maximum Parking Ratio	\$584.00	
		\$602.00	
	Reduction in New or Existing		
	Development/Transit Imprvmnt	\$584.00	
		\$602.00	
	Reduction in Bicycle Parking	\$584.00	
		\$602.00	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Alternative Parking Garage		
	Layout	\$257.00	
		\$265.00	
	Reduction in Stacking Lane		
	Length	\$584.00	
		\$602.00	
	Sign Code Adjustment	\$584.00	
		\$602.00	
	Street Improvement Adjustment	\$584.00	
		\$602.00	
	Tree Removal Adjustment	\$257.00	
		\$265.00	
	Wireless Communication Facility Adjustments		
	Setback from Nearby Residence	\$584.00	
		\$602.00	
	Distance from Another Tower	\$257.00	
		\$265.00	
	<i>Zoning Map/Text Amendment</i>		7/1/2005
	Legislative - Comprehensive Plan	\$8,441.00	7/1/2006
		\$8,703.00	
	Legislative - Community Development Code	\$3,318.00	
		\$3,421.00	
	Quasi-Judicial	\$3,040.00	
		\$3,134.00	
	<i>Zoning Analysis (Detailed)</i>	\$545.00	7/1/2005
		\$562.00	7/1/2006
	<i>Zoning Inquiry Letter (Simple)</i>	\$63.00	7/1/2005
		\$65.00	7/1/2006

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - Miscellaneous Fees & Charges			
	<i>Community Development Code</i>		2/7/2002
	Complete (Title 18)	\$50.00	7/1/2006
	CD Rom	\$10.00	
	<i>Comprehensive Plan - Volumes 1 & 2</i>	\$77.00	1997
	<i>GIS Maps</i>		2/7/2002
	8.5" x 11"		
	Black and White	\$0.00	
	Color	\$1.50	
	11" x 17"		
	Black and White	\$1.50	
	Color	\$2.50	
	17" x 22"		
	Black and White	\$2.50	
	Color	\$5.00	
	22" x 32"		
	Black and White	\$5.00	
	Color	\$7.50	
	34" x 44"		
	Black and White	\$7.50	
	Color	\$10.00	
	<i>Maps</i>		2/7/2002
	Address Maps by Section	\$2.50/plot	
	Annexation & Road Jurisdiction	\$10.00/plot	
	As-Built Drawings	\$2.50/copy or plot	
	Assessor's Tax Map	\$2.50/copy or plot	
	Bike Path Plan	\$6.00/plot	

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	Buildable Lands Inventory	\$10.00/plot	
	Comprehensive Plan and Zoning Map	\$10.00/plot	
	Orthophotographs	\$5.00/copy	
	Stream Corridor & Wetlands Map	\$10.00/plot	
	Street Index Map	\$10.00/plot	
	Subdivision Map	\$10.00/plot	
	Subdivision Plat Map	\$2.50/copy	
	Topographic Maps	\$5.00/copy	
	Transportation Plan Map	\$10.00/plot	
	Vertical Bench Mark Control Map	\$6.00/copy	
	Zoning Map	\$10.00/plot	
	<i>Neighborhood Meeting Signs (Land Use)</i>	\$2.00	1997
	<i>Oversize Load Permit</i>	\$200.00	7/1/2005
	<i>Planimetric Maps</i>		3/10/1986
	Blueprint print - quarter section	\$5.00	
	Mylar - quarter section	\$150.00 + reproduction cost	
	<i>Tigard Transportation System Plan</i>	\$15.00	2000
	<i>Washington Square Regional Center</i>		1999
	Task Force Recommendations	\$10.00	
	Master Plan Map (Zoning/Plan)	\$2.50	

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - ENGINEERING			
	<i>Addressing Assignment Fee</i>	\$50.00	10/29/2003
	<i>Engineering Public Improvement Design Standards</i>	\$5.00	7/15/1998
	<i>Erosion Control Permit Fee</i>		10/29/2003
	(City receives none of this fee)		
	Less than \$50,000.00	\$26.00	
	\$50,000.00 to \$100,000.00	\$40.00	
	More than \$100,000.00	\$40.00 + \$24.00 for each additional \$100,000.00 or fraction thereof	
	<i>Erosion Control Plan Check Fee</i>	65% of inspection fee	10/29/2003
	(City receives 50% of fee)		
	<i>Fee In Lieu Of Bicycle Striping</i>		7/1/2004
	8-inch white stripe	\$2.50/linear foot of frontage	
	Bike lane legends	\$175.00 each	
	Directional mini-arrows	\$100 each	
	Mono-directional reflective markers	\$4.00 each	
	<i>Fee In Lieu Of Undergrounding</i>	\$35.00/lineal feet of frontage	10/29/2003
	<i>Local Improvement District Assessments</i>	Actual Cost	7/24/1996
	<i>Public Facility Improvement Permit</i>	5% of estimated cost of public improvement; minimum \$300.00	7/1/2005
	<i>Reimbursement District Application Fee</i>	\$300.00	1/27/1998

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Reimbursement District Fee</i>	Not to Exceed 6,000.00 unless reimbursement fee exceeds 15,000.00 Any amount over 15,000.00 shall be reimbursed by the owner. 6,000.00 limit valid for only 3 years from Council approval of district cost.	7/10/2001
	<i>Street Maintenance Fee</i>		4/1/2004
	Monthly Residential Rate - Single and Multi-Family	\$2.18 per unit	
	Monthly Non-Residential Rate	\$0.78 per parking space or fueling pump station	
	Written Appeal Filing Fee	\$300.00	
	<i>Streetlight Energy & Maintenance Fee</i>	Based upon PGE Sch #91 Opt, "B" for the first two years costs	2000
	<i>Traffic/Pedestrian Signs</i>	Cost of materials and labor	2/7/2002
	<i>Traffic Control Devices</i>		
	Speed Hump Program	50% of cost	5/1/1996

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
FINANCIAL & INFORMATION SERVICES			
	<i>Assessment Assumption</i>	\$50.00	4/22/1985
	<i>Budget Document</i>	\$0.00	2/7/2002
	<i>Business Tax</i>		5/16/1988
	Annual Fee		
	0 - 10 employees	\$55.00	
	11 - 50 employees	\$110.00	
	51 or more employees	\$220.00	
	Prorated Fee		
	for the initial month when issued on or before the 15th of the month		
	0 - 10 employees	\$4.58	
	11 - 50 employees	\$9.17	
	51 or more employees	\$18.33	
	for the initial month when issued after the 15th of the month		
	0 - 10 employees	\$2.29	
	11 - 50 employees	\$4.59	
	51 or more employees	\$9.17	
	for the each month after the initial month until the next annual billing cycle begins (January 1)		
	0 - 10 employees	\$4.58	
	11 - 50 employees	\$9.17	
	51 or more employees	\$18.33	
	<i>Comprehensive Annual Financial Report</i>	\$0.00	2/7/2002

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Franchise Fee</i>		
	Cable TV	5% of gross revenue	1/26/1999
	Electricity	3% of gross revenue	4/24/2001
	Natural Gas	5% of gross revenue	7/13/2004
	Telecommunication		12/19/2000
	Telecommunication utilities	\$7,500.00 or 5% of gross revenue, whichever is greater	
	Long distance providers and private networks	\$7,500.00 or 2.90/linear foot of installation in right of way, whichever is greater	
	Competitive access providers and all franchisees	\$7,500.00 or 5% of gross revenue, whichever is greater	
	Telecommunication Franchise Application Fee	\$2,000.00	1/23/2001
	Solid Waste Disposal	4% of gross revenue	1/1/2006
	<i>Lien Search Fee</i>	\$35.00	2/1/2004
	<i>Returned Check Fee</i>	\$20.00	10/9/2001

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
LIBRARY			
	<i>Disk or CD (Blank)</i>	\$1.00	2/7/2002
	Headphones	\$1.00	7/1/2006
	<i>Lost Items</i>	Replacement cost + \$5.00 processing fee	7/1/2003
	<i>Overdue Items</i>		
	Daily Charge (All Items except DVDs)	\$0.15/item	7/1/2003
	Daily Charge (DVDs)	\$1.00/item	7/1/2005
	Maximum Charge	\$5.00/item	7/1/2005
	<i>Public Copier Charges</i>	\$0.10/page	2001

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
POLICE			
	<i>Alarm Permits</i>		6/28/1982
	Burglary or Robbery	\$15.00	
	Combination - Burglary and Robbery	\$25.00	
	<i>Failure to Obtain or Renew Alarm Permit Fee</i>	\$25.00	6/28/1982
	<i>False Alarm Charge</i>		7/1/2003
	3rd false alarm	\$50.00	
	4th false alarm	\$75.00	
	5th false alarm	\$100.00	
	6 or more false alarms	\$150.00	
	<i>Law Enforcement Officers Safety Act Qualification Fee</i>	\$25.00	7/1/2006
	<i>Liquor License</i>	\$25.00	7/10/2001
	<i>Police Services Fees</i>		
	DVD and VHS Evidence Copies	Actual staff costs plus materials	7/1/2005
	Police Report Copies	\$5.00 for the first 10 pages and \$0.25/page thereafter	3/12/1984
	Police Digital Photo CD Copies	\$10.00/CD	7/1/2005
	Police Photograph Copies	\$10.00/roll	7/1/2003
	<i>Property Forfeiture for Criminal Activity</i>	Varies	5/25/1999
	<i>Second Hand Dealers and Transient Merchant License</i>	\$10.00	5/23/1983
	<i>Vehicle Release Fee</i>	\$85.00	7/1/2005

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
PUBLIC WORKS			
	<i>Encroachment Permit</i>	None has been set yet	12/7/1999
	<i>Park Reservation Fee</i>		
	Application Fee		1/1/2006
	Resident/Non-Profit	\$22.50	
	Non-Resident	\$45.00	
	Covered Picnic Area Rental		
	Tigard Based Rental Rate		1/1/2006
	Groups up to 50	\$14.00/hour	
	51 to 100	\$16.00/hour	
	101 to 150	\$23.00/hour	
	151 to 200	\$28.00/hour	
	201 and up	\$33.00/hour	
	Non-Tigard Based Rental Rate		1/1/2006
	Groups up to 50	\$28.00/hour	
	51 to 100	\$32.00/hour	
	101 to 150	\$46.00/hour	
	151 to 200	\$56.00/hour	
	201 and up	\$66.00/hour	
	Soccer/Ball Fields		1/1/2006
	Tigard Based Rental Rate	\$6.75/hour	
	Non-Tigard Based Rental Rate	\$13.50/hour	
	<i>Solid Waste Compactor Permit</i>	\$100.00	12/17/1991

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
PUBLIC WORKS - UTILITIES			
	<i>Booster Pump Charge</i>	\$4.68/bimonthly	10/1/2005
		\$5.00/bimonthly	10/1/2006
		\$5.35/bimonthly	10/1/2007
	<i>Customer Charge</i>	\$5.29/bimonthly	10/1/2005
	(Basic fee charged to customers to have the City deliver water.)	\$5.66/bimonthly	10/1/2006
		\$6.05/bimonthly	10/1/2007
	<i>Fire Hydrant Usage - Temporary</i>		
	5/8 x 3/4" hydrant meter deposit*	\$60.00	9/1/2002
	3" hydrant meter deposit*	\$650.00	9/1/2002
	3/4" double check valve deposit*	\$75.00	9/1/2002
	2" double check valve deposit*	\$100.00	9/1/2002
	*Deposit is refundable if returned in good condition		
	Hook-up service	\$50.00	2/27/2001
	Continued use	\$50.00/month	2/27/2001
	Consumption	Current irrigation water usage rate per 100 cubic feet of water used	9/1/2002
	<i>Fire Rates (Sprinklers)</i>		2/27/2001
	6" or smaller	\$17.00/month	
	8" or larger	\$22.50/month	
	<i>Fire Service Connection</i>	\$1,400.00 + 12% fee based on construction costs.	2/27/2001
	<i>Meter Disconnection</i>	Actual labor and material costs + 10%	9/1/2002

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Meter Installation Fees</i>		
	5/8" x 3/4" Meter	\$325.00	2/27/2001
	1" Meter	\$500.00	2/27/2001
	1 1/2" Meter	\$850.00	2/27/2001
	2" Meter	\$1,000.00	2/27/2001
	3" or more Meter	Actual Cost	5/23/2000
	<i>Meter Out-of-Order Test</i>	Meter calibration cost + actual labor and material costs + 10%	9/1/2002
	<i>Sanitary Sewer Service</i>		7/1/2005
	(City receives 15.82% of fees collected)		7/1/2006
	Base Charge	\$17.81/dwelling unit/month \$18.43/dwelling unit/month	
	Use Charge	\$1.23/100 cubic feet/month for individual customer winter average \$1.27/100 cubic feet/month for individual customer winter average	
	<i>Storm and Surface Water</i>		6/6/2000
	(City receives 75% of fees collected)		
	Service Charge	\$4.00/ESU/month	
	<i>Water Disconnection Charge for Non-payment</i>		2/27/2001
	During business hours	\$50.00	
	<i>Water Line Construction - New Development</i>	12% of Actual Cost	2/27/2001
	<i>Water Main Extension</i>		
	Designed and installed by others	12% of Actual Cost	9/1/2002

City of Tigard
Fees and Charges Schedule

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
	<i>Water Usage Charges</i>		
	Residential	\$2.05/100 cubic feet of water	10/1/2005
		\$2.20/100 cubic feet of water	10/1/2006
		\$2.35/100 cubic feet of water	10/1/2007
	Multi-Family	\$2.03/100 cubic feet of water	10/1/2005
		\$2.18/100 cubic feet of water	10/1/2006
		\$2.33/100 cubic feet of water	10/1/2007
	Commercial	\$2.40/100 cubic feet of water	10/1/2005
		\$2.56/100 cubic feet of water	10/1/2006
		\$2.74/100 cubic feet of water	10/1/2007
	Industrial	\$1.99/100 cubic feet of water	10/1/2005
		\$2.13/100 cubic feet of water	10/1/2006
		\$2.28/100 cubic feet of water	10/1/2007
	Irrigation	\$2.56/100 cubic feet of water	10/1/2005
		\$2.74/100 cubic feet of water	10/1/2006
		\$2.93/100 cubic feet of water	10/1/2007

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - PLANNING			1/1/2006
	<i>Park System Development Charge (SDC)*</i>		
	Single Family Unit	\$4,023.00	
	Multi-family Unit	\$3,234.00	
	Spaces in a manufactured home park	\$3,190.00	
	Commercial/industrial (per employee)	\$273.00	

*See Appendix for methodology used to calculate the charges.

Park SDC Annual Adjustment 4/10/2001

Parks SDC fees shall be adjusted annually on January 1st of each year beginning in 2002. The new fee will be determined by multiplying the existing fees by the average of two indices, one reflecting changes in development/construction costs and one reflecting changes in land acquisition costs. The average of these two indices is a reasonable approach because the Parks SDC fee is roughly split 50% between land acquisition land development components.

The index for the Land Acquisition component will be the base cost for residential tract land in Tigard, as determined by the Washington County Appraiser. The average cost for residential tract land was selected because it is readily identified and is the lowest priced of the buildable lands in Tigard. Changes in this base cost can be calculated in terms of a percentage increase, to create the level of change to the original index, and projected to the overall acquisition cost. In accordance with Measure 5, the Washington County Appraiser's office will determine appraised values on July 1 of each year.

The index for the Land Development component of the Parks SDC will be the Construction Cost Index for the City of Seattle as published in the December issue of the Engineering News Record (ENR). The Seattle cost index will be used because the city is the geographically closest to Tigard of twenty metropolitan areas for which the ENR maintains cost data. This index is adjusted monthly, quarterly, and annually. The annual index for each year will be selected beginning with the index for December 2002. The annual index will be used because it is available in

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
		December and most closely coincides with the January 1st implementation of the Park SDC fee adjustments.	

Park SDC Annual Adjustment (cont.)

Calculation Definitions:

SDC (2000) = Current SDC fee

L (2000) = Average cost of residential tract land 2000

L (2001) = Average cost of residential tract land 2001

L (2xxx) = Average cost of residential tract land 2xxx

C (2000) = Construction cost index of 2000

C (2001) = Construction cost index of 2001

C (2xxx) = Construction cost index of 2xxx

LCI = Land Cost Index: change from the current year from previous year

CCI = Construction Cost Index: change from the current year from previous year

ACI = Average cost index change of LCI + CCI

Formula:

$$L (2001) / L (2000) = LCI$$

and

$$C (2001) / C (2000) = CCI$$

therefore

$$LCI + CCI / 2 = ACI$$

then

$$SDC (2001) \times ACI = SDC (2002)$$

Each year subsequent to 2002, the costs shall be revised using the current year and previous year's data. Notwithstanding the foregoing, all calculations shall be carried out to the thousandth place. A final product ending in .49 or less shall be rounded down to the nearest dollar, .50 or more up to the next dollar. Community Development staff will perform the adjustment calculation and prepare the resolution each year.

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - ENGINEERING			
	<i>Traffic Impact Fee *</i>		7/1/2005
	Trip Rate		7/1/2006
	Residential Use	\$285.00/average weekday trip \$302.00/average weekday trip	
	Business & Commercial Use	\$72.00/average weekday trip \$76.00/average weekday trip	
	Office Use	\$262.00/average weekday trip \$277.00/average weekday trip	
	Industrial Use	\$274.00/average weekday trip \$291.00/average weekday trip	
	Institutional Use	\$118.00/average weekday trip \$125.00/average weekday trip	
	Transit Rate	\$21.00/average daily trip \$22.00/average daily trip	

*See Appendix for methodology used to calculate the charges.

The Traffic Impact Fee program is governed by Washington County. All fees and procedures are set by the County.

**City of Tigard
Fees and Charges Schedule**

EXHIBIT A

Department	Revenue Source	Fee or Charge	Effective Date
PUBLIC WORKS - WATER			
	<i>Water System Development Charge (SDC)*</i>		11/28/2000
	5/8" x 3/4" Meter		
	410 Service Area	\$2,041.00	
	Bull Mountain System	\$2,763.00	
	1" Meter		
	410 Service Area	\$5,103.00	
	Bull Mountain System	\$6,908.00	
	1 1/2" Meter		
	410 Service Area	\$7,348.00	
	Bull Mountain System	\$9,947.00	
	2" Meter		
	410 Service Area	\$16,328.00	
	Bull Mountain System	\$22,104.00	
	3" Meter		
	410 Service Area	\$30,615.00	
	Bull Mountain System	\$41,445.00	
	4" Meter		
	410 Service Area	\$51,025.00	
	Bull Mountain System	\$69,075.00	
	6" Meter		
	410 Service Area	\$102,050.00	
	Bull Mountain System	\$138,150.00	
	8" Meter		
	410 Service Area	\$163,280.00	
	Bull Mountain System	\$221,040.00	
	10" Meter		
	410 Service Area	\$293,496.00	
	Bull Mountain System	\$397,319.00	
	12" Meter		
	410 Service Area	\$775,907.00	
	Bull Mountain System	\$1,050,382.00	

*See Appendix for methodology used to calculate the charges.

APPENDIX

- Methodology to Calculate Park SDC
- Methodology to Calculate Traffic Impact Fee
- Methodology to Calculate Water SDC

APPENDIX

- Methodology to Calculate Park SDC
- Methodology to Calculate Traffic Impact Fee
- Methodology to Calculate Water SDC

METHODOLOGY TO CALCULATE PARK SDCⁱ

The Park System Development Charge (SDC) is assessed to new developments for the acquisition and development of parks, greenways, and paved trails. The SDC is a one-time fee charged to new development to help pay a portion of the costs associated with building additional parks and trails to meet the needs created by growth. The SDC revenues can only be used on capacity-increasing capital improvements and cannot be used to repair any existing park deficiencies.

The City relies on level of service (LOS) standards to determine current needs, current surpluses or deficiencies, and future needs. The LOS standards are expressed in terms of number of park acres per 1,000 persons. The “ideal goal” for Tigard is 11.0 acres per 1,000 persons, but this is only a goal and was not adopted as a set LOS by Tigard Council. The LOS standards used to calculate facility needs are based on the City and Urban Services Area’s existing park inventory. The LOS standards are then applied to projected population and employment growth to determine future facility needs for the City and Urban Services Area. SDC funded requirements are calculated based on the estimate unit cost applied to the needed facilities.

Don Ganer & Associates completed an analysis of the City’s current park inventory and population. Then they used a multitude of factors and costs to determine cost per capita by resident and employee for future park costs.

The first step was to project the population and employment with the City of Tigard and the adjacent urban services planning area for 2008. Data was used from Metro and the Population Research Center at Portland State University. It was projected that population would increase by 5,268 and employment by 3,134. These projections plus the average daily availability of park facilities for residents and employees was used to create a demand ratio. While park facilities benefit both residents and employees, the amount of time these facilities are available for use by employees is not the same as residents; an employee does not create demands for facilities equal to those created by a resident. The demand ratio will be used to determine how much of future facility costs can be contributed to residential and non-residential growth.

Next a summary of facility needs through the year 2008 was produced, both for growth and to repair park deficiencies for current residents and employees. The “Current Need” is the proportionate share needed to provide facilities to current residents and employees at the levels of service planned for the year 2008. The “Growth Need” is the proportionate share needed to provide facilities to future residents and employees at the planned levels of service for 2008.

FACILITY NEEDS FOR POPULATION AND EMPLOYMENT GROWTH AND DEFICIENCY REPAIR

Facility Type	Planned LOS (Units/1,000)	Current Inventory	Current Need	Surplus or (Deficiency)	2008 Need	Growth Need
Neighborhood Parks (acres)	0.68	19.06	36.21	(17.15)	39.80	3.59
Community Parks (acres)	1.81	102.87	112.03	(9.16)	122.87	10.84
Greenways (acres)	3.25	173.00	201.05	(28.06)	220.50	19.44
Linear Parks (acres)	.081	52.22	50.14	2.08	55.00	2.78
Total Acres	6.55	347.15	399.43	(52.29)	438.17	36.65
Trails (miles)	0.19	8.00	11.95	(3.95)	13.11	1.16

There are deficiencies in the number of acres of Neighborhood Parks, Community Parks, and greenways; and in the miles of trails available to serve current residents and employees. SDC Improvement fee revenues must be used only for growth needs, and may not be used to remedy deficiencies. Alternative non-SDC revenues must be used to repair deficiencies.

The SDC Parks Capacity Improvements Program identifies new facilities needed to serve parks and recreation needs through year 2008. The "Residential and Non-Residential Growth-Required New Facility Costs" table shows the breakout of residential and non-residential share of costs for these new facilities. As stated earlier, non-residents do not receive the same benefit from parks as residents. It has been calculated that the residential share of growth costs is 88.1% of the total of those facilities that benefit both residential and non-residential development (i.e., community parks, linear parks, etc.) and 100% for those facilities that benefit residential development only (e.g., neighborhood parks).

RESIDENTIAL AND NON-RESIDENTIAL GROWTH-REQUIRED NEW FACILITY COSTS

Facility	Cost Per Unit	Total New Facility Costs	New Facility Growth Costs	Residential Growth Costs	Non-Residential Growth Costs
Neighborhood Parks (acres)	\$410,000	\$8,503,400	\$1,472,310	\$1,472,310	\$0
Community Parks (acres)	440,000	8,800,000	4,769,600	4,202,018	567,582
Greenways (acres)	130,000	6,175,000	2,527,200	2,226,463	300,737
Linear Parks (acres)	230,000	639,400	639,400	563,311	76,089
Trails (miles)	520,000	2,657,200	603,200	531,419	71,781
Totals		\$26,775,000	\$10,011,710	\$8,995,521	\$1,016,189

In addition to facility costs, the City incurs costs in the development and administration of the SDCs and may recoup a portion of those costs in accordance with ORS 223.307(5). Total compliance/administrative costs have been estimated to be \$165,000 and include a master plan update, annual management, and SDC methodology review. These costs are allocated between residential and non-residential growth share. The residential portion is \$148,252 and the non-residential portion is \$16,782.

NET RESIDENTIAL AND NON-RESIDENTIAL SDC-ELIGIBLE COSTS

	Residential SDC Eligible Costs	Non-Residential SDC Eligible Costs
Growth-Required Facilities	\$8,995,521	\$1,016,189
+ Compliance/Administrative Costs	148,252	\$16,782
= Total Growth-Required Costs	\$9,143,774	\$1,032,936

The SDC-Eligible costs along with anticipated population increase are used to calculate the SDC Improvement Fee. For the residential improvement fee, the total growth-required costs is divided by the population increase to obtain a per capita cost (\$9,143,774/5,268 = \$1,736). This per capita cost is then multiplied by the average number of persons per dwelling unit type. The number of persons per dwelling unit was calculated using the official U.S. Census data gathered in Tigard in 2000. Then, a tax credit is calculated based on the assumption that debt instruments will likely be used as a future source for funding capacity improvements. A portion of funds to repay these debts may come from property taxes paid by growth and the tax credit accounts for potential payments in order to avoid charging growth twice. The table below shows the residential SDC calculations.

Type of Dwelling Unit	Average Persons Per Dwelling Unit	X	Total Residential Cost Per Capita	=	Residential Improvements Cost Per Dwelling Unit	-	Tax Credit Per Dwelling Unit	=	Residential SDC Per Dwelling Unit
Single-Family:	2.67		\$1,736		\$4,634		\$881		\$3,753
Multi-Family:	1.86		\$1,736		\$3,228		\$211		\$3,017
Manufactured Housing:	1.81		\$1,736		\$3,142		\$166		\$2,976

A similar process is used to calculate the non-residential SDC improvement fee per employee. The table below shows the non-residential SDC calculations.

Net Non-Residential SDC Eligible Costs	÷	Employment Increase	=	Non-Residential Improvements Cost Per Employee	-	Tax Credit Per Employee	=	Non-Residential SDC Per Employee
\$1,032,936		3,134		\$330		\$75		\$255

METHODOLOGY TO CALCULATE TRAFFIC IMPACT FEE

The countywide Traffic Impact Fee (TIF) is assessed to new development for the development's projected impact on the transportation system. Developing properties will be required to pay based on the number of trips they are projected to generate (fee per trip basis). TIF revenue will be used to fund off-site highway and transit capital improvements, which provide additional capacity to the major transportation system. The TIF does not fund existing needs such as minor reconstruction or maintenance projects.

The first step in calculating the TIF for a developing project is to determine the most appropriate Land Use Category. The categories are Residential Use, Business & Commercial Use, Office Use, Industrial Use, and Institutional Use. Once the land use category has been determined, the values needed for the calculation are looked up on a table provided by Washington County. The table contains the land use category, basis for trip determination (units), weekday average trip rate and weekend average trip rate.

The TIF is calculated using the following formula:

$$\text{Weekday Average Trips} \times \text{Units} \times \text{Trip Rate} = \text{TIF}$$

Where

Weekday Average Trips is a value representing an average of the number of trips per unit for each land use type. This value is set by the County TIF ordinance for most land uses. This value is listed in the table provided by Washington County.

Units value is determined by the developing project's size. The type of units is set for each land use in the table and is typically expressed as Thousand Gross Square Feet (TGSF), number of units (for apartments, condos, etc), number of employees, etc.

Trip rate value is set by the TIF Ordinance and may be adjusted on a yearly basis. The current rates that were adjusted on July 1, 2006 are:

Residential Use	\$302.00 per average weekday trip
Business and Commercial Use	\$76.00 per average weekday trip
Office Use	\$277.00 per average weekday trip
Industrial Use	\$291.00 per average weekday trip
Institutional Use	\$125.00 per weighted average daily trip
Transit Rate	\$22.00

For Example:

A 20,400 square foot office building's TIF would be calculated as follows:

$$20,400 \text{ (TGSF)} \times 16.31 \text{ (Weekday Average trips)} \times \$277.00 = \$92,165 \text{ Total TIF}$$

Then

To determine the Mass Transit portion of the TIF

$$20.400 \times 16.31 = 333 \text{ (Trip Generation)}$$

Then

Trip Generation x Transit Rate = Transit Amount

$$333 \times \$22.00 = \$7,326$$

Then

Total TIF – Transit Amount = Road Amount

$$\$92,165 - \$7,326 = \$84,839$$

This is how a basic TIF is calculated. TIF calculations can become more complex as other factors are included in the calculation. Those factors could be credits and offsets, weighted averages or uses not listed in the table provided by Washington County Ordinance.

METHODOLOGY TO CALCULATE WATER SDCⁱⁱ

The Water System Development Charge (SDC) is comprised of a reimbursement fee and improvement fee. The reimbursement fee is intended to recover the costs associated with the growth-related (or available) capacity in the existing system, and the improvement fee is based on the costs of capacity-increasing future improvements needed to meet the demands of growth.

Reimbursement Fee:

The general methodology used to develop the reimbursement fee includes the following four steps:

1. Determine the value of growth-related capacityⁱⁱⁱ
2. Define system capacity
3. Calculate the unit cost of growth – related capacity
4. Develop reimbursement fee per EDU (Estimated Dwelling Unit)

In 2000, the City of Tigard hired CH2M Hill to complete a System Development Charge Update for the Tigard water system. The firm performed an extensive analysis and calculated the following information:

<u>Meter Size</u>	<u>Meter Equivalent Factor</u>
5/8 – 3/4 inch	1
1 inch	2.5
1 ½ inch	3.6
2 inch	8
3 inch	15
4 inch	25
6 inch	50
8 inch	80
10 inch	140
12 inch	380

Net investment per gallons per day (gpd) = \$0.87

Maximum Day Water Demand (gpd) (c) = 645

This data is used to calculate the reimbursement portion of the SDC. The calculation is:

Net investment per gpd (0.87) x Maximum Day Water Demand (645) = Reimbursement SDC per EDU

Current Reimbursement SDC per EDU = \$561.00

Then

Reimbursement SDC per EDU x Meter Equivalent Factor = Reimbursement SDC for each meter size

For Example:

561.00 x 2.5 (meter equivalent for 1 inch meter) = \$1,402.50

Improvement Fee:

The general methodology used to develop the improvement fee is similar to that for the reimbursement fee, and includes the following four steps:

1. Determine the costs of growth-related improvements^{iv}
2. Calculate the unit cost of additional capacity
3. Calculate debit service credit
4. Develop improvement fee per EDU

CH2M Hill calculated the improvement fees per EDU to be:

Water Supply Improvement Fee = \$880.00

Distribution System Improvement Fee 410 Zone = \$600.00

Distribution System Improvement Fee Bull Mountain = \$1,322.00

These figures are then used to calculate the cost per meter size.

Water Supply Improvement Fee x Meter Equivalent Factor = Water Supply Improvement Fee for each meter size

For Example:

$$880.00 \times 2.5 \text{ (meter equivalent for 1 inch meter)} = \$2,200.00$$

Distribution System Improvement Fee 410 Zone x Meter Equivalent Factor = Water Distribution System Improvement for each 410 Zone meter size

For Example:

$$600.00 \times 2.5 \text{ (meter equivalent for 1 inch meter)} = \$1,500.00$$

Distribution System Improvement Fee Bull Mountain x Meter Equivalent Factor = Water Distribution System Improvement for each Bull Mountain meter size

For Example:

$$1,322.00 \times 2.5 \text{ (meter equivalent for 1 inch meter)} = \$3,305.00$$

Final SDC Charge:

The totals listed above are added together to get the total Water SDC charge per meter size.

Reimbursement SDC for each meter size + Water Supply Improvement Fee for each meter size + Water Distribution System Improvement for each 410 Zone meter size

= Total Water SDC charge per meter size for 410 Zone

For Example:

$$1,402.50 + 2,200.00 + 1,500.00 = \$5,102.50 \text{ rounds to } \$5,103.00$$

Or

Reimbursement SDC for each meter size + Water Supply Improvement Fee for each meter size + Water Distribution System Improvement for each Bull Mountain meter size

= Total Water SDC charge per meter size for Bull Mountain

For Example:

$1,402.50 + 2,200.00 + 3,305.00 = \$6,907.50$ rounds to \$6,908.00

ⁱ For more detailed information on calculating Park SDC, see Resolution No. 04-97 and the accompanying report "Parks and Recreation System Development Charges Methodology Update" by Don Ganer & Associates, Inc., November 10, 2004.

ⁱⁱ For more detailed information about Water SDC charges, please see Resolution No. 00-66 and its accompanying report, "Tigard Water System, System Development Charge Update" by CH2M Hill, September 1, 2000.

ⁱⁱⁱ This value is based on the system's non-contributed depreciated plant investment.

^{iv} This cost is based on anticipated future project costs.



MEMORANDUM

TO: Michelle Wareing, Finance
FROM: *WD*
Bill Dickinson, PD
RE: Fee Schedule
DATE: 05-22-06

The Police Department would like to add a new fee to the City's schedule. Pursuant to the Law Enforcement Officers Safety Act of 2004, the Police Department would like to implement a \$25 fee for providing firearm qualification for retired police officers. I would title the fee as follows:

Law Enforcement Officers Safety Act Qualification Fee: \$25.00

Please do not hesitate to call on me if you should have any questions. Thank you for your assistance with this matter.

c: Lt. deSully
Dickinson file

Agenda Item #
Meeting Date

11
June 13, 2006

COUNCIL AGENDA ITEM SUMMARY
City Of Tigard, Oregon

Issue/Agenda Title Approval of Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax Between Metro and the City of Tigard

Prepared By: Robert Sesnon Dept Head Okay RS City Mgr Okay CL

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Should City Council approve the Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax Between Metro and the City of Tigard?

STAFF RECOMMENDATION

Staff recommends approval of the Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax Between Metro and the City of Tigard.

KEY FACTS AND INFORMATION SUMMARY

Metro has requested that Council approve the attached intergovernmental agreement that specifies that the city collect and remit an excise tax to be assessed on new development.

On October 13, 2005, Metro adopted Resolution No. 25-3626A establishing an Expansion Area Planning Fund Committee (EAPF) to serve as a tax study committee pursuant to the Metro Code, with the charge to advise and make recommendations to the Metro Council regarding aspects of the need, distribution and mechanism for funding concept and comprehensive planning needs from the 2002 and 2004 Urban Growth Boundary expansions. On February 2, 2006 the EAPF Committee forwarded its final report and recommended actions to the Metro council, stating that a regional need exists for funding concepts and comprehensive planning associated with these expansion areas, and that a construction excise tax is the best available means for creating such a fund.

The EAPF Committee was made up of a wide range of individuals from government agencies, industry, elected officials, school districts and the public. The recommendations of the committee represented what was thought to be the most appropriate solution to the obstacles associated with further development of the Urban Growth Boundary expansions. Their recommendations to the Metro Council resulted in the subsequent Metro Ordinance No. 06-1115.

As a result of the Ordinance, a tax equal to .12% of the total valuation of building permits will be assessed by Metro and collected by jurisdictions within the Metro region. There are some exemptions and limitations to this tax that will provide relief to some applicants. Projects with valuations of \$100,000 and less are exempt, as well as corporations exempt from federal income tax pursuant to 42 U.S.C. 501(c)(3) and certain low-income housing and charitable services provided to them. There is also a maximum ceiling of \$12,000 that can be collected. Projects that are valued at \$10 million and above would be assessed the flat fee of \$12,000.

This tax will sunset when the total amount that is collected within the Metro region reaches an amount equal to \$6.3 million, which is expected to take approximately three (3) years. After this amount is collected, the tax will be rescinded.

Under the terms of the Intergovernmental Agreement, local jurisdictions will retain 5% of the tax collected to cover the cost of administration.

OTHER ALTERNATIVES CONSIDERED

No alternatives have been considered.

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

None

ATTACHMENT LIST

Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax Between Metro and the City of Tigard

Administrative Rules: Metro Code Chapter 7.04

FISCAL NOTES

There is no material fiscal impact as a result of this agreement. All amounts collected will be recorded as a liability and subsequently remitted to Metro. The City will receive 5% of the tax collected to cover the cost of administration.

**CONSTRUCTION EXCISE TAX
INTERGOVERNMENTAL AGREEMENT
TO COLLECT AND REMIT TAX BETWEEN
METRO AND THE CITY OF TIGARD**

This Construction Excise Tax Intergovernmental Agreement to Collect and Remit Tax ("CET Collection IGA") is effective on the last date of signature below, and is by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the Metro Charter, located at 600 Northeast Grand Avenue, Portland, OR, 97232-2736 ("Metro"), and The City of Tigard located at 13125 SW Hall Blvd., Tigard, OR 97223, collectively referred to as "Parties."

WHEREAS, in October 2005 Metro convened a tax study committee comprised of representatives from local jurisdictions and the development community, to provide recommendations for funding comprehensive planning needs associated with recent inclusions into the urban growth boundary; and that tax study committee recommended that a short-term construction excise tax on building permit values was the appropriate funding mechanism; and

WHEREAS, the tax study committee's recommendation was forwarded to the Metro Planning Advisory Committee ("MPAC"), and on March 8, 2006 MPAC recommended approval of the tax study committee's proposal that Metro adopt a construction excise tax that would be implemented by local jurisdictions to fund comprehensive planning needs associated with new inclusions into the urban growth boundary; and

WHEREAS, on March 23, 2006 Metro adopted Ordinance No. 06-1115, establishing a Construction Excise Tax ("CET") throughout the Metro regional jurisdiction; and

WHEREAS, the ordinance provides that the Construction Excise Tax may be collected by local jurisdictions and remitted to Metro pursuant to Intergovernmental Agreements, and that Metro will distribute up-front grants to local jurisdictions, based on grant requests that set forth the expected completion of certain milestones associated with Title 11 of Metro Code Chapter 3.07, the Urban Growth Management Functional Plan; and

WHEREAS, the Construction Excise Tax established by Ordinance No. 06-1115 will expire when the total amount collected by all jurisdictions and remitted to Metro and certified by Metro as such is \$6.3 million dollars, which is estimated to take approximately three years; and

WHEREAS, the Parties desire to agree to certain procedures needed to collect the Construction Excise Tax and remit the tax to Metro.

NOW THEREFORE, the Parties hereto agree as follows:

1. Information and Forms. Metro shall provide to the Jurisdiction information, forms, and assistance explaining the Construction Excise Tax.
2. Staffing. Jurisdiction shall provide sufficient staff to calculate and collect the Construction Excise Tax along with the collection of other permit fees. Metro shall provide sufficient staff to implement the CET program including grant distribution.

3. Collection; Start date. Jurisdiction agrees to collect the Construction Excise Tax on behalf of Metro. Jurisdiction shall begin collecting the CET on July 1, 2006, and shall continue collection until the expiration of the CET as set forth below.

4. Exemptions. Metro shall also provide Jurisdiction with forms for CET exemptions, rebates, and refunds, and any other forms or information necessary for implementation of the CET. If a Person claims to be exempt from the CET and files a Metro CET Exemption Form at the time the CET would otherwise be due, Jurisdiction shall grant the exemption. It shall be Metro's responsibility to determine the validity of the exemption and to institute collection procedures to obtain payment of the CET, as well as any other remedy Metro may have under law, if the Person was not entitled to the exemption.

5. Remittance. Jurisdiction shall remit the collected CET to Metro. Remittance shall be quarterly, unless a jurisdiction prefers to remit the CET monthly, by the 30th of the month following the quarter (or month) ending. Quarters end on September 30, December 31, March 31 and June 30 of each year. CET remittance and the CET Report shall be sent to Metro, attn Construction Excise Tax Accounting Specialist, 600 NE Grand, Portland, Oregon 97232.

6. CET Reports. Along with the CET remittance, Jurisdiction shall prepare and submit to the Metro Chief Operating Officer a report of the CETs and building permits issued for the previous quarter's construction activities. The report shall include: the number of building permits issued that quarter; the aggregate value of construction; the number of building permits for which CET exemptions were given; the aggregate value of construction for the exempted construction; the aggregate amount of CET paid; and the amount of CET administrative fee retained by Jurisdiction pursuant to this CET Collection IGA.

7. Failure to Pay CET. Upon a Person's refusal to or failure to pay the CET when due, the jurisdiction administering that Person's building permit shall notify Metro in writing within five (5) business days of such failure, with information adequate for Metro to begin collection procedures against that Person, including the Person's name, address, phone numbers, Construction Project, Value of New Construction, and building permit number. Upon a Person's refusal or failure to pay the CET, it shall be Metro's responsibility to institute collection procedures to obtain payment of the CET as well as any other remedy Metro may have under law.

8. Records. Jurisdiction shall make all records related to building permit activity, Construction Excise Tax collections, and CET exemptions available to Metro, or its designated auditors, as necessary for Metro to audit Construction Excise Tax collections.

9. Administrative Fee. As consideration for the above described services, Jurisdiction shall retain Five Percent (5%) of the CET collected by the Jurisdiction. Prior to submitting the CET to Metro, Jurisdiction shall deduct this administrative fee directly from the CET collected, and the amounts deducted and retained shall be identified on the report submitted to Metro.

10. Sunset. Jurisdiction shall cease collection of the Construction Excise Tax pursuant to this CET Collection IGA on the last day of the month in which Metro certifies to Jurisdiction that a total of \$6.3 million has been collected by the Metro-area local jurisdictions and has been remitted to and received by Metro. CET already collected by Jurisdiction in the CET reporting period in which it receives Metro's written certification notice shall be remitted to Metro, and shall remain a part of the CET program and shall be distributed by Metro to local jurisdictions in accordance with the CET grant program.

11. Amendment. This CET Collection IGA may be amended by mutual written agreement of the Parties.

12. Other Agreements. This CET Collection IGA does not affect or alter any other agreements between Metro and Jurisdiction.

Metro

[Jurisdiction Name]

By: Michael Jordan

By: _____

Title: Metro Chief Operating Officer

Title: _____

Date: _____

Date: _____

State of Oregon)

County of _____)
ss.

On this _____ day of _____, 2006, before me _____, the undersigned Notary Public, personally appeared Michael Jordan, as Chief Operating Officer of Metro, a municipal corporation, personally known to me (or proved to be on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

My commission expires: _____

State of Oregon)

County of _____)
ss.

On this _____ day of _____, 2006, before me _____, the undersigned Notary Public, personally appeared _____ as _____ of _____ jurisdiction, personally known to me (or proved to be on the basis of satisfactory evidence) to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she or they) executed it.

My commission expires: _____

ADMINISTRATIVE RULES: METRO CODE CHAPTER 7.04

Effective July 1, 2006, Metro has established as Metro Code Chapter 7.04 a Construction Excise Tax ("CET"). These Administrative Rules establish the procedures for administering this tax as mandated in Metro Code Section 7.04.050 and Metro Code Section 7.04.060. For ease of reference a copy of Metro Code Chapter 7.04 is attached to these administrative rules.

I. Metro Administrative Matters.

A. Definitions. These administrative rules incorporate the definitions as set forth in Metro Code Section 7.04.030.

B. Designated Representatives (Metro Code Section 7.04.060). The Metro Chief Operating Officer ("COO") is responsible for the administration and enforcement of the Metro Code Chapter 7.04 and these administrative rules.

1. The COO may delegate his authority in administration and enforcement of the Code chapter and these administrative rules as he determines and as set forth herein.
2. The COO shall appoint a Hearings Officer(s), which appointment shall be confirmed by the Metro Council. The Hearings Officer(s) shall have the authority to order refunds or rebates of the Construction Excise Tax or waive penalties as a result of the hearings process. Upon appointing a Hearings Officer, the Chief Operating Officer shall delegate authority to the Hearings Officer to administer oaths, certify to all official acts, to subpoena and require attendance of witnesses at hearings to determine compliance with this chapter, rules and regulations, to require production of relevant documents at public hearings, to swear witnesses, to take testimony of any Person by deposition, and perform all other acts necessary to adjudicate appeals of Construction Excise Tax matters.

C. Internal flow of funds: Funds will be accounted for in a Construction Excise Tax account that will be created by the effective date of Metro Code Chapter 7.04.

D. Rate stabilization reserves: Metro Code Chapter 7.04.200 states that the Council will, each year, as part of the Budget process, create reserves from revenues generated by the CET. These reserves are to even out collections thereby stabilizing the funds needed to support the applicable programs despite industry building activity fluctuation. These reserves can only be drawn on to support the specific budgeted activities as discussed in Section I.E. of these administrative rules. Due to their restricted nature, these reserves shall be reported as designations of fund balance in Metro's General Fund.

E. Dedication of revenues: Revenues derived from the imposition of this tax, netted after deduction of authorized local jurisdiction costs of collection and administration, will be

solely dedicated to grant funding of the regional and local planning that is required to make land ready for development after inclusion in the Urban Growth Boundary.

F. Rule Amendment. The Chief Operating Officer retains the authority to amend these administrative rules as necessary for the administration of the Construction Excise Tax.

II. Construction Excise Tax Administration.

A. Imposition of Tax (Metro Code Section 7.04.070)

1. The CET is imposed on every Person who engages in Construction within the Metro jurisdiction.
2. The tax shall be due and payable at the time of the issuance of any building permit, or installation permit in the case of a manufactured dwelling, by any building authority, unless an Exemption applies as set forth herein.
3. The CET shall be calculated and assessed as of the application date for the building permit. Persons obtaining building permits based on applications that were submitted prior to July 1, 2006 shall not be required to pay the CET, unless the building permit issuer normally imposes fees based on the date the building permit is issued.
4. If no permit is issued, then the CET is due at the time the first activity occurs that would require issuance of a building permit under the Uniform Building Code.

B. Calculation of Tax (Metro Code Section 7.04.080). The CET is calculated by multiplying the Value of New Construction by the tax rate of 0.12%

(0.0012 x Value of New Construction)

C. Exemptions: (Metro Code Section 7.04.040)

1. Eligibility for Exemption. No obligation to pay the CET is imposed upon any Person who establishes, as set forth below, that one or more of the following Exemptions apply:
 - a. The Value of New Construction is less than or equal to One Hundred Thousand Dollars (\$100,000); or
 - b. The Person who would be liable for the tax is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), or a limited partnership the sole general partner of which is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3),

the Construction is used for residential purposes AND the property is restricted to being occupied by Persons with incomes less than 50 percent (50%) of the median income for a period of 30 years or longer; or

- c. The Person who would be liable for the tax is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3) AND the Construction is dedicated for use for the purpose of providing charitable services to Persons with income less than 50 percent (50%) of the median income.

2. Procedures for establishing and obtaining an Exemption; Exemption Certificates:

- a. For exemption (a) above, the exemption will be established at the building permit counter where the Value of New Construction as determined in the building permit is less than or equal to One Hundred Thousand Dollars (\$100,000).
- b. For exemptions (b) and (c) above, prior to applying for a building permit a Person claiming an exemption may apply to Metro for a Metro CET Exemption Certificate, in substantially the form attached hereto as Exhibit A, which Metro CET Exemption Certificate may be presented to the building permit issuer to receive an exemption from paying the CET; or
- c. For exemptions (b) and (c) above, instead of going to Metro to obtain a Metro CET Exemption Certificate, a Person claiming an exemption from the CET when applying for a building permit may submit to the building permit issuer Metro's CET Exemption Certificate application form, along with substantiating documentation, if any. Upon receiving a Person's Metro CET Exemption Certificate application, the building permit issuer shall preliminarily authorize the exemption and shall not collect the CET. The building permit issuer shall forward the Person's Metro CET Exemption Certificate application, along with substantiating documentation, if any, to Metro along with the quarterly CET report. It shall be Metro's responsibility to determine the validity of the exemption and to institute collection procedures to obtain payment of the CET, as well as any other remedy Metro may have under law, if the Person was not entitled to the exemption;

- d. To receive a Metro CET Exemption Certificate from Metro, or to substantiate to Metro the validity of an exemption received from a local building permit issuer, an applicant must provide the following:
 - i. IRS tax status determination letter evidencing that the Person seeking the building permit is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3); and
 - ii. In the case of residential property, proof that the property is to be restricted to low income persons, as defined, for at least 30 years. Proof can be in the form of loan covenants, rental agreements or grant restrictions; and
 - iii. In the case of a qualified tax-exempt entity providing services to Persons with incomes less than 50 percent of the median income, the applicant must provide information that will allow such tax exempt status to be verified, including a certification from the entity's corporate officer attesting that the exemption is applicable; and
 - iv. In the case of a limited partnership with a tax-exempt sole general partner corporation, verification from the partnership's attorney of that status is required; or
 - v. Any other information that may allow the exemption determination to be made; and
 - vi. Authorization to audit the records to verify the legal status and compliance with Metro qualifications of all entities claiming exempt status.
- e. Partial Applicability of Exemption. If an exemption is applicable to only part of the Construction, then only that portion shall be exempt from the CET, and CET shall be payable for the remainder of the Construction that is not eligible for an exemption, on a pro-rata basis. It shall be the responsibility of the Person seeking the partial exemption to fill out a Metro CET Exemption Certificate application for the partial exemption, declaring on that application the proportion of the Construction qualifies for the exemption. Upon receiving a Person's Metro CET Exemption Certificate application claiming a partial exemption, along with

substantiating documentation, if any, the building permit issuer shall preliminarily authorize the partial exemption and shall only collect the pro-rata CET as declared by the applicant. The building permit issuer shall forward the Person's Metro CET Exemption Certificate application, along with substantiating documentation, if any, to Metro along with the quarterly CET report. It shall be Metro's responsibility to determine the validity of the partial exemption and to institute collection procedures to obtain payment of the remainder of the CET, as well as any other remedy Metro may have under law, if the Person was not entitled to the partial exemption.

D. Ceiling (Metro Code Section 7.04.045)

1. If the CET imposed would be greater than \$12,000.00 (Twelve Thousand Dollars) as measured by the Value of New Construction that would generate that amount of tax, then the CET imposed for that Construction is capped at a Ceiling of \$12,000.00 (Twelve Thousand Dollars).
2. The Ceiling applies on a single structure basis, and not necessarily on a single building permit basis. For example:
 - a. If a single building permit is issued where the Value of New Construction is greater than or equal to Ten Million Dollars (\$10,000,000), then the CET for that building permit is capped at Twelve Thousand Dollars (\$12,000.00).
 - b. If Construction in a single structure will require multiple building permits during the pendency of the CET program, and the total CET that would be imposed for those building permits would add up to more than Twelve Thousand Dollars (\$12,000.00), then the total CET for those building permits within the same structure during the pendency of the CET program is capped at Twelve Thousand Dollars (\$12,000.00). Once a total of \$12,000.00 has been paid in CET for a particular structure, then no additional CET will be collected for that structure during the pendency of the CET program.

E. Rebates (Metro Code Section 7.04.120). If a CET has been collected and a CET Exemption or the CET Ceiling was applicable, a rebate for the CET may be obtained from Metro.

1. Procedures for obtaining rebate are:

- a. Within thirty (30) days of paying the CET, the Person who believes that the CET was not applicable due to a CET exemption or CET Ceiling, shall apply for a rebate in writing to Metro and provide verification that the exemption eligibility provisions of Metro Code Section 7.04.040, or that the CET Ceiling provisions of Metro Code Section 7.04.045, have been met. Failure to seek a rebate within the thirty (30) day time limit will terminate a Person's right to seek a rebate.
- b. Applicant shall provide proof that the CET was paid, in the form of a paid receipt from the building permit issuer showing the tax was paid. All supporting documentation for the exemption or ceiling shall be submitted at the time of the rebate claim. The rebate will only be made to the name that is listed on the receipt unless the applicant has a written assignment of rebate.
- c. A rebate or a letter of denial shall be issued by Metro within thirty (30) days of receipt of a written request for rebate provided that the request includes all required information. The rebate will be calculated based upon the paid receipt, less the 5% administrative fee already retained by the building permit issuer.

F. Refunds: (Metro Code Section 7.04.150) If a CET has been collected and the Construction was not commenced and the building permit was cancelled, a refund for the CET may be obtained from Metro.

1. Eligibility is determined by the absence of Construction and cancellation of the building permit.

2. Procedures for obtaining refund:

- a. Apply in writing to Metro within thirty (30) days of permit cancellation.
- b. Provide copy of canceled permit.
- c. Provide proof of payment of the tax in the form of the paid receipt.
- d. A refund or a letter of denial shall be issued by Metro within thirty (30) days of receipt of the written request for

refund provided that the request includes all required information. The refund will be calculated based upon the paid receipt, less the 5% administrative fee already retained by the building permit issuer.

- e. Failure to seek a rebate within the thirty (30) day time limit will terminate a Person's right to receive a refund.

G. Appeals: The Hearings Officer shall conduct hearings related to enforcement or appeals of the CET. The appeal to the Hearings Officer must be:

1. In writing;
2. Made within ten (10) calendar days of denial of a refund, rebate, or exemption request. Notice of denial to the party denied, is deemed to have occurred three days after the mailing of the certified denial letter from Metro;
3. Tax must be paid prior to appeal;
4. Directed to the Office of Metro Attorney, who will contact the Hearings Officer to schedule a hearing upon receipt of a written appeal. The Hearings Officer will at that time provide further information as to what documentation to bring to the hearing.

H. Review. Review of any action of the Chief Operating Officer or Hearings Officer, taken pursuant to the Construction Excise Tax Ordinance, or the rules and regulations adopted by the Chief Operating Officer, shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 through 34.100, provided, however, that any aggrieved Person may demand such relief by writ of review.

I. CET Sunset (Metro Code Section 7.04.230).

1. The CET shall not be imposed on and no person shall be liable to pay any tax for any Construction activity that is commenced pursuant to a building permit issued on or after the last day of the month in which a total of \$6.3 million has been collected under Metro Code Chapter 7.04, received by Metro, and certified as received by Metro to the local collecting jurisdictions.
2. Local governments collecting CETs shall remit the CETs to Metro on a quarterly or monthly basis, based on the jurisdiction's CET Collection IGAs with Metro. Each quarter, within thirty days of receiving CET remittances from all collecting local jurisdictions, Metro will issue a written statement of the total CET that Metro has received that quarter and

cumulatively.

3. CET remittance to Metro shall be net of the local government's administrative expenses in collecting the CET, up to 5% of the CET collected by the local government as set forth in the Metro CET Collection IGA. This net amount of CET remitted to Metro shall be the basis for Metro's calculations of CET cumulative totals and for the calculation of when the \$6.3 million CET has been reached.
4. The CET shall cease to be imposed by local governments on the last day of the month in which Metro issues written notice certifying that the previous quarter's CET remittance to Metro has caused Metro to receive a cumulative total of at least \$6.3 million in CET. CET already collected by local governments in the quarter that they receive Metro's written certification notice shall be remitted to Metro and shall remain a part of the CET program and shall be distributed to local jurisdictions in accordance with the Grant program as set forth herein. Any additional CET received by Metro in the quarter that the \$6.3 million has been certified as received shall also remain a part of the CET program and shall be distributed to local jurisdictions in accordance with the Grant program as set forth herein.

III. CET Collection Procedures.

- A. Local Government CET Collection and Remittance Via Intergovernmental Agreements (Metro Code Section 7.04.110). For those local governments collecting the CET pursuant to Intergovernmental Agreements with Metro, the following procedures shall apply:
 1. CET Report; Information required: Each quarter (unless a local government prefers to report monthly), along with its CET remittance to Metro, the local government shall prepare and submit to the Metro Chief Operating Officer a report of the CETs and building permits issued for the previous quarter's construction activities. The report shall include: the number of building permits issued that quarter; the aggregate value of construction; the number of building permits for which CET exemptions were given; the aggregate value of construction for the exempted construction; the aggregate amount of CET paid; and the amount of CET administrative fee retained by the local government pursuant to this CET Collection IGA.
 2. CET Remittance to Metro: Local governments collecting CET via IGAs with Metro shall remit the collected CET to Metro. Remittance shall be quarterly, unless a jurisdiction prefers to remit the CET monthly, by the 30th of the month following the quarter (or month) ending. Quarters end on September 30, December 31, March 31 and June 30 of each year. CET remittance and the CET Report shall be sent to Metro, attn Construction Excise Tax Accounting Specialist, 600 NE Grand, Portland, Oregon 97232.

3. Remuneration to Local Government for Collecting CET. As consideration for collecting the CET, each local government collecting the CET shall retain no more than five percent (5%) of the tax collected by that local government. This payment is intended to be a reimbursement of costs incurred. Prior to submitting the CET to Metro, the local government shall deduct the remuneration agreed upon directly from the collected tax, and the amounts deducted and retained shall be identified on the report submitted to Metro.
 4. Audit and control features: Each local government shall allow the Chief Operating Officer, or any person authorized in writing by the Chief Operating Officer, to examine the books, papers, building permits, and accounting records relating to any collection and payment of the tax, during normal business hours, and may investigate the accuracy of reporting to ascertain and determine the amount of CET required to be paid.
 5. Failure to Pay. Upon a Person's refusal to or failure to pay the CET when due, the local government administering that Person's building permit shall notify Metro in writing within five (5) business days of such failure, with information adequate for Metro to begin collection procedures against that Person, including the Person's name, address, phone numbers, Value of New Construction, Construction Project, and building permit number. Upon a Person's refusal or failure to pay the CET, it shall be Metro's responsibility to institute collection procedures to obtain payment of the CET as well as any other remedy Metro may have under law.
- B. Metro Collection procedures in event of non-payment. The CET is due and payable upon issuance of a building permit. It is unlawful for any Person to whom the CET is applicable to fail to pay all or any portion of the CET. If the tax is not paid when due, Metro will send a letter notifying the non-payer of his obligation to pay the CET along with the following information:
1. Penalty. In addition to any other fine or penalty provided by Chapter 7.04 of the Metro Code, penalty for non- payment will be added to the original tax outstanding. That penalty is equal to \$50.00 or the amount of the tax owed, whichever is greater.
 2. Misdemeanor: In addition to any other civil enforcement, non- payment of the CET is a misdemeanor and shall be punishable, upon conviction, by a fine of not more than five hundred dollars (\$500.00). This fine shall be charged to any officer, director, partner or other Person having direction or control over any Person not paying the tax as due.
 3. Enforcement by civil action: If the tax is not paid, Metro will proceed with collection procedures allowable by law to collect the unpaid tax, penalties assessed and fines due, including attorney fees.

IV. Revenue Distribution (Metro Code Section 7.04.220). The Chief Operating Officer shall distribute the revenues and expected revenues from the CET as Grants to local governments based

on an analysis of Grant Request(s) submitted by a local government, in accordance with the procedures set forth below.

A. Procedures for Distribution

1. Step One: Pre-Grant-Request Meeting. Prior to making a written request to Metro for CET grant funds, each local government that anticipates requesting CET Grant funds shall schedule a pre-Grant Request meeting with Metro. In order to receive CET Grant funding, pre-Grant-Request Meetings shall be scheduled with Metro within three (3) months of the effective date of the CET program, ie, by October 1, 2006, unless a different date is mutually agreed upon by Metro and the local government. The purpose of the pre-Grant Request meeting is to discuss the local government's estimated scope of work and budget for planning needs for their 2002, 2004, and 2005 new urban areas, based on the requirements set forth in the Construction Excise Tax ordinance; Chapter 3.07 of the Metro Code, including Title 11, the Urban Growth Management Functional Plan ("Functional Plan"); the applicable conditions of addition for the new urban area from the Metro ordinance bringing the area into the UGB; these administrative rules; and the budget estimates provided to Metro by the local government prior to enactment of the Construction Excise Tax ordinance.
2. Step Two: Grant Request. After the pre-application meeting, local governments seeking distribution of CET expected revenues shall submit a written Grant Request to the Metro Chief Operating Officer.
 - a. Reimbursement Requests. Grant Requests to reimburse local governments for comprehensive plans already completed for new urban areas that were added to the UGB in 2002, 2004, or 2005 shall also be considered. Such requests shall follow the same procedures as those set forth herein for other CET Grant Requests
3. Proposed Scope of Work, Milestones, and Budget. The Grant Request should include a proposed scope of work and budget, setting forth the expected completion dates and costs for the following milestones:
 - a. Local government staff's proposed Concept Plan, if one is to be developed for the new urban area;
 - b. Urban Growth Diagram, showing at least those elements set forth in Title 11, Metro Code Section 3.07.1120(J);
 - c. Local government staff's recommended Comprehensive Plan or Comprehensive Plan amendment, addressing the components set forth in Title 11, Metro Code Sections 3.07.1120 and 3.07.1130; the applicable conditions of addition for the new urban area from the Metro ordinance

bringing the area into the UGB; and applicable state laws and regulations; and

- d. Local government's adoption of Comprehensive Plan or Comprehensive Plan amendment, consistent with the Functional Plan, the Metro ordinance conditions of addition for the new urban area, and applicable state law.
4. **Step Three: Grant Agreement ("Grant IGA").** The Metro Chief Operating Officer shall analyze the local government's Grant Request and the factors set forth herein, as well as those cost estimates previously provided by the local governments. Based on that analysis, Metro and the local government shall enter into a Grant Agreement ("Grant IGA") that shall include an agreed-upon scope of work and budget, expected milestone completion dates, and Grant payment dates.
5. **Grant Payment Dates.** Grant payments shall be made upon the completion of those milestones set forth in the Grant Agreements, as determined by Metro in accordance with the requirements of the Metro Code and the Grant Agreement. In general, a portion of the Grant funds shall be distributed upon execution of a Grant Agreement with Metro, with the remainder of the Grant being paid out as progress payments upon completion of the milestones set forth in section IV.A. 3 above and in the Grant Agreement.

B. **Eligible Expenses.**

1. The following expenses shall be considered Eligible Expenses for CET Grant consideration:
 - a. Materials directly related to project;
 - b. Consultants' work on project;
 - c. Local government staff support directly related to project; and
 - d. Overhead directly attributable to project;
2. If the total Grant Requests from participating local governments exceed the total CET expected revenues, Metro shall first consider awarding funds for eligible direct costs, which will have priority for funding over indirect costs.

Agenda Item #

12

Meeting Date

6/13/2006

COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Pelissier Annexation (ZCA2006-10001)

Prepared By: Emily Eng

Dept Head Okay

TC/jell

City Mgr Okay

CP

ISSUE BEFORE THE COUNCIL AND KEY FACTS

Should City Council approve annexation of 1.81 acres of land (Zone Change Annexation - ZCA2006-10001) located north of SW Bull Mountain Road and east of SW 133rd Avenue?

The proposed territory is: contiguous to the City; part of an island of unincorporated territory; and can be served by urban services.

STAFF RECOMMENDATION

Adopt the recommended ordinance annexing the subject parcel to the City of Tigard.

KEY FACTS AND INFORMATION SUMMARY

State law (ORS 222) allows for a city to annex contiguous land when owners of real property in the proposed annexation territory submit a petition to the legislative body of the city. The property owners of 13273 SW Bull Mountain Road (WCTM 2S109AB, Tax Lot 300) have submitted a petition for annexation to the City of Tigard. The proposed annexation consists of 1.81 acres. Three adjacent property owners received invitations to join the annexation; none responded.

The proposed annexation territory (Pelissier Annexation) is part of an island of unincorporated territory and contiguous to the City on three (3) sides. The eastern boundary abuts Raven Ridge subdivision. Most of the western boundary abuts a privately owned parcel within the City. The southern boundary abuts the Alpine View subdivision, which City Council voted to annex on November 9, 2004 (ZCA2004-00002). A small portion of the western boundary and the entire northern boundary abut privately owned parcels that are part of the island of unincorporated territory. No Goal 5 resources have been identified on the proposed territory. The Bull Mountain Community Plan also does not identify any significant natural resources on the site.

The applicable review criteria for this application are ORS Chapter 222; Metro Code Chapter 3.09; City of Tigard Comprehensive Plan Policies 2 and 10, and Community Development Code Chapters 18.320 and 18.390.

Staff finds that the proposed annexation (ZCA2006-10001) meets all the approval criteria and recommends that the Council approve ZCA2006-10001 by adoption of the attached ordinance.

Key Facts:

1. The proposed territory is contiguous to the City;

2. The proposed territory is part of an island of unincorporated territory;
3. Urban services are available to serve the proposed territory;
4. The proposed territory is within the City's Urban Growth Boundary and Metro's Urban Growth Boundary; and
5. The proposed territory is within the City's Urban Services Area and Area of Interest.

OTHER ALTERNATIVES CONSIDERED

Not approving ZCA2006-10001 if it does not meet the applicable review criteria. .

COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

Growth and Growth Management, Goal #2: Urban services will be provided to all citizens within Tigard's urban growth boundary.

ATTACHMENT LIST

Attachment 1: An Ordinance Annexing 1.81 Acres, Approving Pelissier Annexation (ZCA2006-10001) and Withdrawing Property from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

Exhibit A: Legal Description of Proposed Annexation Territory

Exhibit B: Washington County Taxation and Assessment Map for Proposed Annexation Territory

Exhibit C: Petition for, and Consent to, Annexation to the City of Tigard

Exhibit D: Staff Report to the City Council

Attachment 2: Site Map of Proposed Annexation Territory.

FISCAL NOTES

If approved, the proposed annexation territory would not be transferred to the City's tax roll until July 1, 2007. Annexations must be final by March 31 of the same calendar year for the tax year beginning July 1.

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 2006- _____**

AN ORDINANCE ANNEXING 1.81 ACRES, APPROVING PELISSIER ANNEXATION (ZCA2006-10001), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on June 13, 2006, to consider the annexation of one (1) parcel (WCTM 1S209AB00300) of land north of SW Bull Mountain Road and east of SW 133rd Avenue and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on June 13, 2006; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current zoning district is R-7, an existing City zone that has been adopted by the County and the zoning after annexation would remain R-7 so that no zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: The Tigard City Council adopts the "Staff Report to the City Council" as findings in support of this decision; a copy is attached hereto as **Exhibit "D"** and incorporated herein by this reference.

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 4: City staff is directed to take all necessary measures to implement the annexation, including certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 5: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 6: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2007.

SECTION 7: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, 2006.

Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2006.

Craig Dirksen, Mayor

Approved as to form:

City Attorney

Date



Centerline Concepts, Inc.

February 27, 2006
Shady Peak

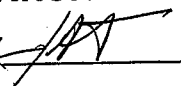
That tract of land described in document no. 2003-174128, Washington County deed records, in the NE 1/4 of Section 9, T.2S., R.1W., W.M., Washington County, Oregon, being more particularly described as follows:

BEGINNING at the northwest corner of Lot 28, "Raven Ridge", Washington County Plat records; thence S00°05'57"E on the west line of said Lot 28, a distance of 52.45 to the most westerly southwest corner of said Lot 28; thence S89°58'23"W on the north line of that tract of land described in document no. 90-041679, Washington County deed records, a distance of 250.00 feet to the east line of that tract of land described in document no. 2005-008270, Washington County deed records; thence N00°05'57"W on said east line and the east line of that tract of land described in document no. 91-030146, Washington County deed records, a distance of 315.00 feet to the southwest corner of that tract of land described in deed book 803, page 479, recorded January 11, 1971, Washington County deed records; thence S89°58'11"E on the south line of said book 803, page 479 tract, a distance of 250.00 feet to the most westerly northwest corner of said "Raven Ridge"; thence S00°05'57"E on the west line of said "Raven Ridge" a distance of 262.53 feet to the POINT OF BEGINNING.

Said tract of land contains 78,748 square feet more or less.

Subject to easements of record.

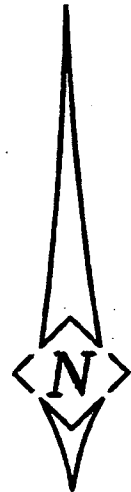
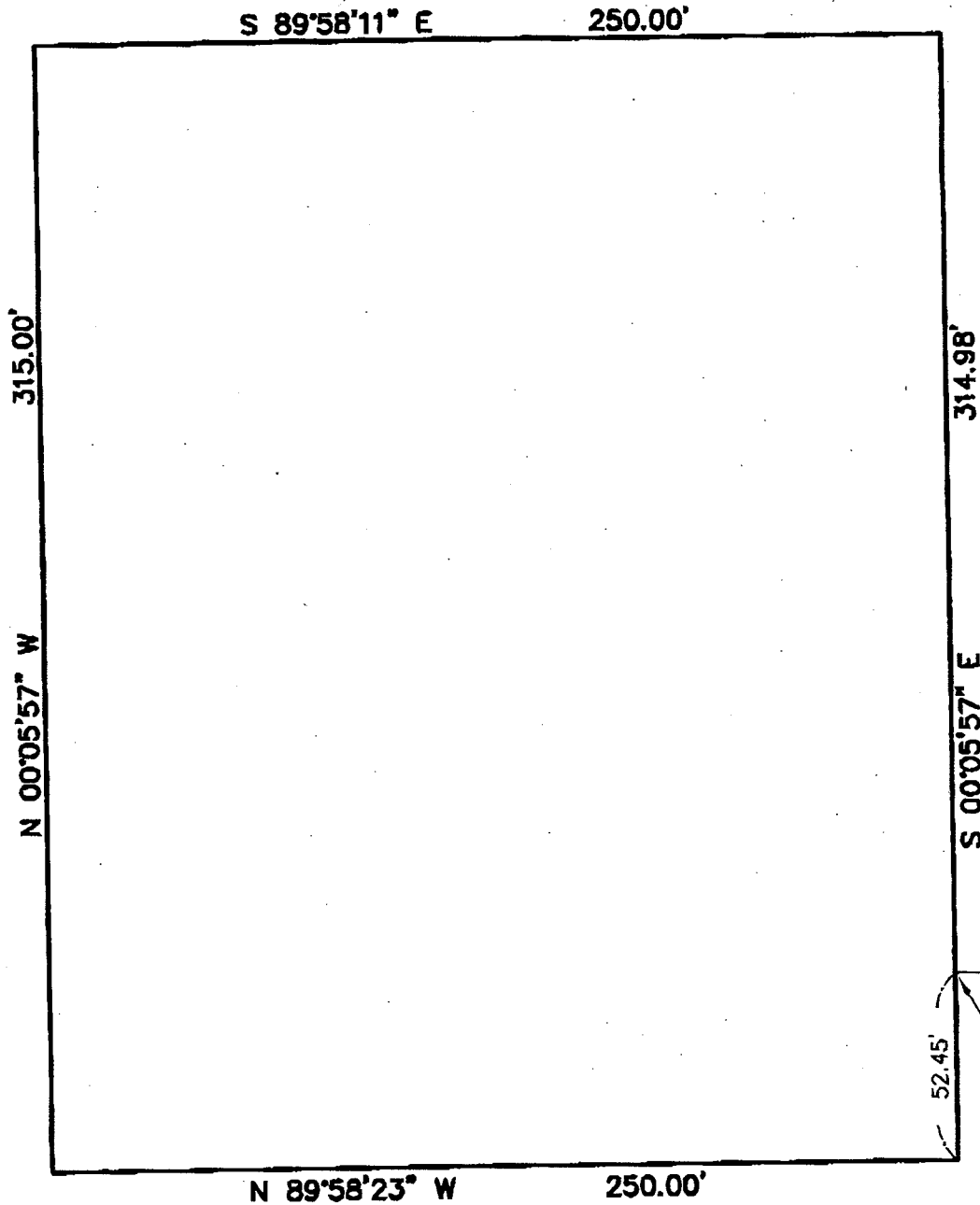
ANNEXATION CERTIFIED

BY 
MAR 01 2006

WASHINGTON COUNTY A & T
CARTOGRAPHY

Q:\DOCS\LGLDESC\Shady\546-02LegalForAnnexWash2-27-2006.doc

700 Molalla Avenue Oregon City, Oregon 97045
503 650-0188 fax 503 650-0189



S.W.
HOODVISTA
LANE

NORTHWEST
CORNER OF LOT 28
"RAVEN RIDGE"

SIGNED ON: 2-27-06

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

OREGON
JULY 16, 1987
WADE G. DONOVAN III
2276

VALID THROUGH DECEMBER 31, 2007

N.E. 1/4 SEC. 9, T.2S., R.1W., W.M.

WASHINGTON COUNTY, OREGON

FEBRUARY 27, 2006

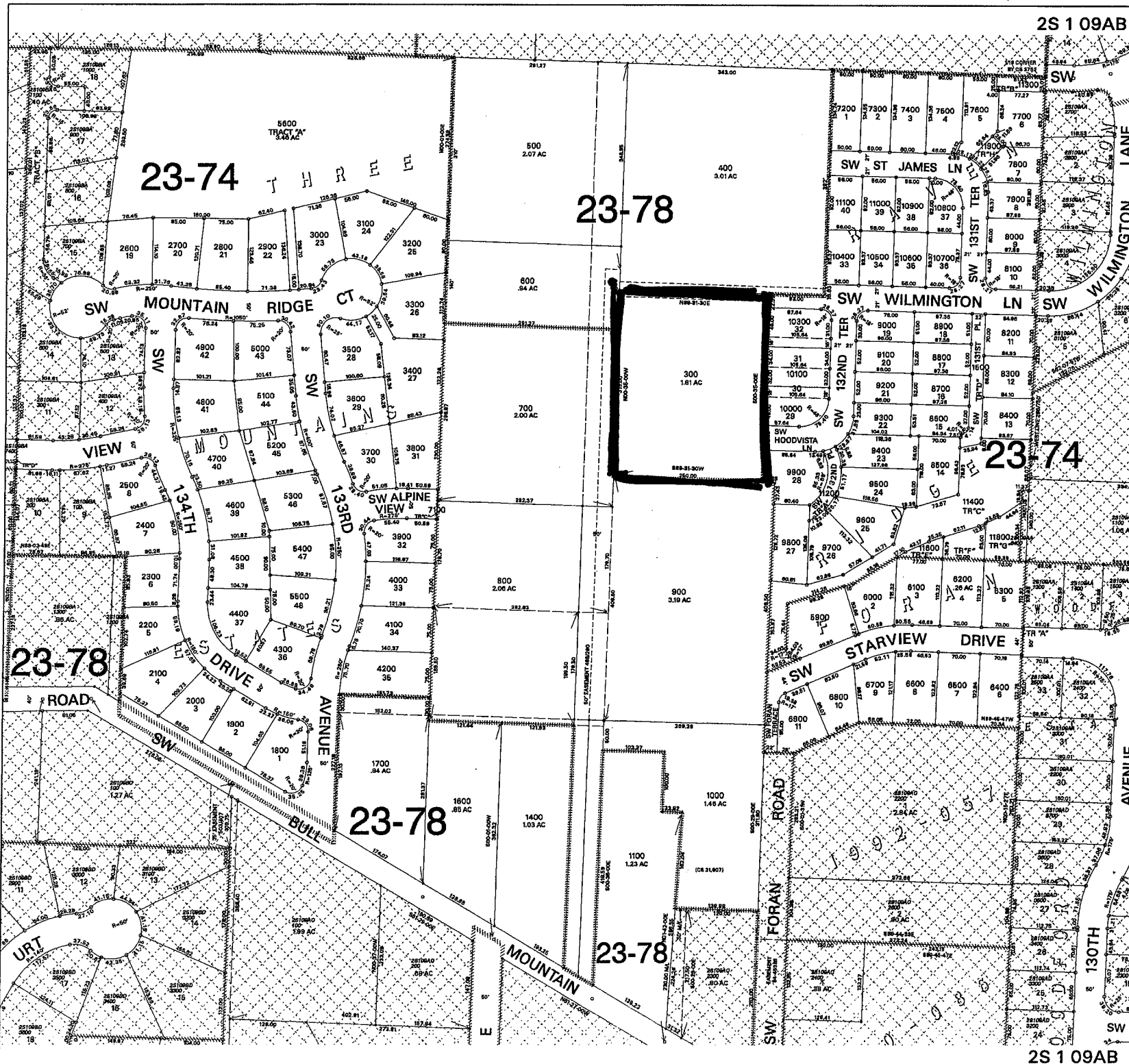
DRAWN: MSG CHECKED: WGDIII

SCALE 1"=50' ACCOUNT # 1546-02

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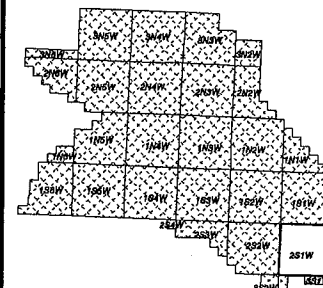


Centerline Concepts Inc.
700 MOLALLA AVE., OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

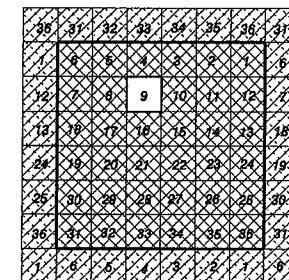


2S 1 09AB

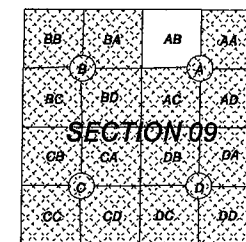
2S 1 09AB



WASHINGTON COUNTY OREGON
NW1/4 NE1/4 SECTION 09 T2S R1W W.M.
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 2S109AB
1300, 1200, 1500, 100, 200, 7000, 10200, 11700, 5700,
8800,



PLOT DATE: March 10, 2005
FOR ASSESSMENT PURPOSE:
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatch pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate for the most current information.

EXHIBIT B

TIGARD
2S 1 09AB

2S 1 09AB

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

[illegible]

Agenda Item: _____

Hearing Date: June 13, 2006Time: 7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

SECTION I. APPLICATION SUMMARY

FILE NAME: _____ **PELISSIER ANNEXATION**
CASE NOS: Zone Change Annexation (ZCA) ZCA2006-10001

**APPLICANT/
OWNERS' REP:** Kenneth L. Sandblast **OWNER:** Daniel Pelissier
 7160 SW Fir Loop #201 13273 SW Bull Mountain Road
 Portland, OR 97223 Tigard, OR 97224

OWNER: Rachel Pelissier
 13273 SW Bull Mountain Road
 Tigard, OR 97224

PROPOSAL: The applicant is requesting to annex one (1) parcel consisting of approximately 1.81 acres of land to the City of Tigard.

LOCATION: 13273 SW Bull Mountain Road; WCTM 2S109AB, Tax Lot 300. The proposed territory is located north of SW Bull Mountain Road, abutting the northern boundary of Alpine View subdivision, east of SW 133rd Avenue.

**CURRENT
ZONING**

DESIGNATION: R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.¹

**EQUIVALENT
CITY ZONING
DESIGNATION:**

R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and

¹ See section IV, Policy 10.1.3, for details about this zoning designation.

subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

**APPLICABLE
REVIEW**

CRITERIA: ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation (ZCA2006-10001) meets all the approval criteria as identified in ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390. Therefore, staff recommends APPROVAL of ZCA2006-10001 by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

Site Information:

The proposed annexation territory is located north of SW Bull Mountain Road, abutting the northern boundary of Alpine View subdivision, east of SW 133rd Avenue. It is made up of one (1) tax lot and contiguous to the City of Tigard on three (3) sides. The proposed territory part of unincorporated Bull Mountain and the City's Urban Service Area, which means that the provisions of the City of Tigard's *Urban Service Agreement (TUSA)* and the *Urban Services Intergovernmental Agreement (USIA)* between Washington County and the City of Tigard apply. One single family dwelling and its accessory structure exist on the proposed site, which has a slope of approximately 10%. No Goal 5 resources, regionally significant habitat or other sensitive lands have been identified on the site. The Bull Mountain Community Plan also does not identify any significant natural resources on the site. The unincorporated parcel abutting the proposed territory on its north boundary contains lower-value Goal 5 resources (identified in Metro's inventory of significant fish and wildlife habitat areas) and significant natural areas identified by the Bull Mountain Community Plan.

The applicant requests annexation of the 1.81-acre territory (WCTM 2S109AB, Tax Lot 300) to the City of Tigard. No previous land use decisions are related to the proposed territory and there are currently no pending decisions related to the site other than the proposed annexation; however, a pre-application conference was held on April 6, 2006 for an 11-lot subdivision on the site.

SECTION IV. APPLICABLE REVIEW CRITERIA, FINDINGS AND CONCLUSIONS

State: ORS Chapter 222

Regional: Metro Code Chapter 3.09

City: Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

A. CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

1. Chapter 18.320.020: Approval Process and Standards.

B. Approval Criteria. The decision to approve, approve with modification, or deny an application to annex property to the City shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and

The City of Tigard Comprehensive Plan's Urbanization Chapter (Policy 10.1.1) defines "services" as water, sewer, drainage, streets, police, and fire protection. The proposed annexation territory is currently zoned R-7, a medium-density single-family residential zone with a minimum residential lot size of 5,000 square feet. The proposed territory would retain this zoning upon annexation. Water is available to the proposed territory in the 50-foot wide access and utilities easement at its western boundary. The nearest sanitary sewer line is an 8-inch line located in Wilmington Road and Hood Vista Lane. A storm line is also located in Wilmington Road and Hood Vista Lane.

For streets, the City's Transportation System Plan (TSP) standards apply. The proposed territory is located approximately 850 feet north of SW Bull Mountain Road and less than 500 feet east of SW 133rd Avenue. SW Bull Mountain Road is designated a collector in the TSP. SW 133rd Avenue is designated a neighborhood route in the TSP. Currently, the proposed territory has access to SW Bull Mountain Road through a private driveway easement that is part of the Alpine View subdivision site. This driveway is the 50-foot wide access and utilities easement mentioned in the previous paragraph. If the site develops, it would be able to connect to Wilmington Lane and Hood Vista Lane, which are stubbed at the site's eastern boundary. The City of Tigard departments of Public Works and Police have reviewed the annexation proposal and have not raised any objections or indicated that there would be a lack of service capacity for the proposed territory or a significant reduction in existing City service levels. In addition, Tualatin Valley Fire and Rescue (TVF&R), which currently serves the proposed territory, reviewed and endorsed the proposal. Based upon this review, staff finds that all public services (as defined by the Comprehensive Plan) are available to the proposed annexation territory and all public services have sufficient capacity to provide service to the proposed annexation territory.

2. The applicable Comprehensive Plan policies and implementing ordinance provisions have been satisfied.

Three Comprehensive Plan policies apply to proposed annexation: 2.1.1, 10.1.1., and 10.1.2. Staff has determined that the proposal has satisfied the applicable Comprehensive Plan policies based on the following findings:

Policy 2.1.1: Citizen Involvement. The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

The City maintains an ongoing citizen involvement program. To assure citizens will be provided an opportunity to be involved in all phases of the planning process, the City provides notice for Type IV land-use applications. The City posted, mailed and published notice of the public hearing as follows. The City posted the hearing notice at four public places on April 27, 2006: Tigard Library, Tigard City Hall, Tigard Permit Center, and in the public right-of-way on SW Bull Mountain Road near the proposed territory. The City published notice of the hearing in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 25, 2006, and June 1, 2006) prior to the June 13, 2006, public hearing. The City also mailed notice to all interested parties and surrounding property owners within 500 feet on May 22, 2006. In addition, the City maintains a list of interested parties

organized by geography. Notice was mailed to interested parties in the West area on May 22, 2006, which includes former Citizen Involvement Team contacts and CPO 4B, the citizen participation organization for the area. Staff finds that this policy is met.

Policy 10.1.1: Urbanization. Prior to the annexation of land to the City of Tigard,

a) the City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard: 1. Water; 2. Sewer; 3. Drainage; 4. Streets; 5. Police; and 6. Fire Protection.

As addressed under 18.320.020 above, adequate service is available to the proposed annexation territory. The proposed territory is currently zoned R-7, a medium-density single-family residential zone with a minimum residential lot size of 5,000 square feet. The proposed territory would retain the same zoning upon annexation. The site has an estimated maximum density of 12 units.² If it develops, it will be required to connect to public service facilities, which staff has found to be available to the proposed territory.

Based on the maximum density allowed for the proposed territory, the City of Tigard department of Public Works has reviewed the annexation proposal and has not raised any objections or indicated that there would be a reduction in its capacity to provide services to the proposed annexation territory or reduce the level of service to the entire City. The Police Department reviewed the proposal and indicated that the proposed annexation would have no negative impact on the capacity of police services. The Engineering Department reviewed the proposal and indicated that an 8-inch sewer line, a storm line and street access are available to the site. Tualatin Valley Fire and Rescue (TVF&R) also reviewed the proposal and did not raise any objections. TVF&R has stated that the proposed annexation would not impact the fire district because it is the current provider to the proposed territory. Staff concludes that there is adequate capacity to serve the proposed territory (water, sewer, drainage, streets, police, fire protection) if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

b) If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: 1. The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: a) Water, b) Sewer, c) Drainage, and d) Streets. 2. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

This criterion does not apply: No capital improvements program requires a nonremonstrance agreement for this area. Urban services are already available to the proposed annexation territory.

c) The City shall provide urban services to areas within the Tigard Urban Planning Area or within the Urban Growth Boundary upon annexation.

The Tigard Urban Planning Area (as defined in the *Washington County – Tigard Urban Planning Area Agreement (UPAA)*, (adopted 1988, revised 2004) includes the proposed annexation territory. The City is the designated urban services provider for the services defined in the *Tigard Urban Service Agreement (USA)* (adopted 2002) and subsequent operating agreements: police; parks, recreation and open space; roads and streets; sanitary sewer and storm water (through an operating agreement

² Maximum density was calculated using formula provided in Code Chapter 18.715.

with CWS); and water service. Upon annexation, those services will be provided according to the City's current policies. Staff finds that this policy is met.

Policy 10.1.2: Urbanization. Approval of proposed annexations of land by the City shall be based on findings with respect to the following: a) The annexation eliminates an existing "pocket" or "island" of unincorporated territory; or, b) The annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the City; c) The Police Department has commented upon the annexation; d) the land is located within the Tigard Area of Interest and is contiguous to the City boundary; e) The annexation can be accommodated by the services listed in 10.1.1(a).

a) The proposed annexation territory is part of an island of unincorporated territory in Washington County. Annexing the proposed territory would reduce a 15.83-acre island of unincorporated territory north of SW Bull Mountain Road by 1.81 acres.

b) Annexing the proposed territory will not create an irregular boundary because it is part of an island and already surrounded by the City.

c) The City of Tigard Police Department has reviewed the proposed annexation and has no objections.

d) The *UPAA (1988; 2004)* includes the proposed annexation territory within its Area of Interest. The proposed territory is contiguous to the City on three sides. The eastern boundary abuts Raven Ridge subdivision. Most of the western boundary abuts a privately owned parcel within the City of Tigard. To the west of this parcel is Three Mountains Estates subdivision. The southern boundary abuts the Alpine View subdivision, which City Council voted to annex on November 9, 2004. A small portion of the western boundary and the entire northern boundary abut privately owned parcels that are part of an island of unincorporated territory in Washington County.

e) As staff's response to Policy 10.1.1 (a) demonstrated, the annexation can be accommodated by the following services: water, sewer, drainage; streets; police; and fire protection.

Therefore, staff finds that the proposed annexation meets Policy 10.1.2.

Policy 10.1.3: Urbanization. Upon annexation of land into the City which carries a Washington County zoning designation, the City of Tigard shall assign the City of Tigard zoning district designation which most closely conforms to the county zoning designation.

Washington County previously adopted City of Tigard zoning designations for unincorporated Bull Mountain due to the *Urban Services Intergovernmental Agreement (USIA)* (adopted 1997; revised 2002) in which Tigard performs building and development services for the Bull Mountain Area on behalf of the County. The proposed annexation territory's Washington County designation was R-6 and was converted to Tigard's R-7 (Table 320.1 summarizes the conversion of the County's plan and zoning designations). Therefore no changes are required in the zoning designations for the Plan Area, as the current designations reflect City of Tigard designations. It should be noted that the USIA will be terminated effective July 20, 2006, in which case all unincorporated territory in the Bull Mountain Area will convert back to county zoning designations.

**TABLE 320.1
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS**

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4.5 SFR 7,500 sq. ft.	Low density 1-5 units/acre
R-6 Res. 6 units/acre	R-7 SFR 5,000 sq. ft.	Med. density 6-12 units/acre
R-9 Res. 9 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-12 Res. 12 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-15 Res. 15 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
R-24 Res. 24 units/acres	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
Office Commercial	C-P Commercial Professional	CP Commercial Professional
NC Neighborhood Commercial	CN Neighborhood Commercial	CN Neighborhood Commercial
CBD Commercial Business District	CBD Commercial Business District	CBD Commercial Business District
GC General Commercial	CG General Commercial	CG General Commercial
IND Industrial	I-L Light Industrial	Light Industrial■

Chapter 18.320.020

C. Assignment of comprehensive plan and zoning designations.

The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

As the previous section demonstrated, no changes to the zoning designations are required for the Plan Area, as the current designations already reflect City of Tigard designations.

City of Tigard Community Development Code

2. Chapter 18.390.060: Type IV Procedure

Annexations are processed by means of a Type IV procedure, as governed by Chapter 18.390 of the Community Development Code (Title 18) using standards of approval contained in 18.390.020(B), which were addressed in the previous section. Chapter 18.390 requires City Council to hold a hearing on an annexation. It also requires the City to provide notice at least 10 days prior to the hearing by mail and to publish newspaper notice; the City mailed notice on May 22, 2006, and published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 25, 2006, and June 1, 2006,) prior to the June 13, 2006, public hearing.

Additionally, Chapter 18.390.060 sets forth five decision-making considerations for a Type IV decision:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;

The City's Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission to be in compliance with state planning goals. As reviewed above, the annexation proposal meets the existing Comprehensive Plan policies and therefore is in compliance with state planning goals.

2. Any federal or state statutes or regulations found applicable;

ORS 222: State law (ORS222) allows for a city to annex contiguous land when owners of real property in the proposed annexation territory submit a petition to the legislative body of the city. ORS 222.120 requires the city to hold a public hearing before its legislative body (City Council) and provide public notice to be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

The property owners of 13273 SW Bull Mountain Road (WCTM 2S109AB, Tax Lot 300) have submitted a petition for annexation to the City. The proposed territory (Pelissier Annexation) is contiguous to the City on three sides (east, west and south) and is part of an island of unincorporated territory. The City published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 25, 2006, and June 1, 2006,) prior to the June 13, 2006, public hearing and posted the hearing notice at four public places on April 27, 2006: Tigard Library, Tigard City Hall, Tigard Permit Center, and in the public right of way near the proposed territory. Staff finds that the provisions of ORS 222.120 have been met.

3. Any applicable METRO regulations;

Chapter 3.09 of the Metro Code (Local Government Boundary Changes) includes standards to be addressed in annexation decisions, in addition to local and state review standards. Note that the report is available 15 days before the hearing (May 30, 2006, for a June 13, 2006, hearing). Staff has determined that the applicable METRO regulations (Metro Code 3.09.040(b) &(d)) have been met based on the following findings:

Metro 3.09.040 (b)

(b) Not later than 15 days prior to the date set for a change decision, the approving entity shall make available to the public a report that addresses the criteria in subsections (d) and (g) below, and that includes at a minimum the following:

(1) The extent to which urban services presently are available to serve the affected territory including any extra territorial extensions of service;

As addressed previously in this report, urban services are available to the affected territory.

(2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;

As addressed previously in this report, the annexation proposal complies with all applicable provisions of urban service provider agreements *UPAA (1988, 2004); and TUSA (2002)*.

(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;

As addressed previously in this report, the annexation proposal complies with all applicable policies of the City of Tigard Comprehensive Plan and urban service provider agreements (*UPAA (1988; 2004) and TUSA (2002)*). The proposed annexation territory is within the Urban Growth Boundary and subject to the Regional Framework Plan and Urban Growth Management Functional Plan provisions. There are no specific applicable standards or criteria for boundary changes in the Regional Framework Plan or the Urban Growth Management Functional Plan. However, the City's Comprehensive Plan and Development Code have been amended to comply with Metro functional plan requirements. By complying with the Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

(4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

The proposed territory will remain within Washington County but will be required to be withdrawn from the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation.

(5) The proposed effective date of the decision.

The public hearing will take place June 13, 2006. If the Council adopts findings to approve ZCA2006-10001, the effective date of the annexation will be July 13, 2006.

Metro Code 3.09.040 (d)

(d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The *TUSA (2002)* includes the proposed annexation territory. The agreement specifies notice requirements for land use planning actions; the City provided notice of the proposed annexation to all applicable parties. The agreement states that the County and City will be supportive of annexations to the City, and the City shall endeavor to annex the Bull Mountain area in the near to mid-term (accomplished by 2005-2007, as projected in the *TUSA*). The proposed territory is part of an island of unincorporated territory in the Bull Mountain area. The proposed annexation is consistent with this agreement.

2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The *UPAA (1988; 2004)* includes the proposed annexation territory. The City has followed all processing and notice requirements in the *UPAA*, providing Washington County with 45-day notice prior to the public hearing. The agreement states that "so that all properties within the Tigard Urban Service Area will be served by the City, the County and City will be supportive of annexations to the City." The City also provided notice to the affected CPO (CPO 4B) per the agreement. The annexation proposal is consistent with this agreement.

3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

As previously stated in this report, this proposal meets all applicable City of Tigard Comprehensive Plan provisions. This criterion is satisfied.

4. Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;

This criterion was addressed under Metro Code 3.09.040(b). By complying with the City of Tigard Community Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

5. Whether the proposed change will promote or not interfere with the timely, orderly and

economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is consistent with the terms of the *TUSA*, which ensures the timely, orderly, and efficient extension of public facilities and urban services. The proposed territory is adjacent to existing city limits and urban services are available to the site. Serving the proposed territory at maximum density will not significantly reduce existing service levels, as shown staff's findings for Code Chapter 18.320.020 B(1) on page 2-3 of this report.

6. The territory lies within the Urban Growth Boundary; and

The proposed territory is within Metro's Urban Growth Boundary.

7. Consistency with other applicable criteria for the boundary change in question under state and local law.

In previous sections, this report reviewed the proposal's consistency with other applicable criteria and found it to be consistent.

(Tigard CDC 19.390.060)

4. Any applicable comprehensive plan policies; and

As demonstrated in previous sections of this report, the proposed annexation is consistent with, and meets, all applicable comprehensive plan policies.

5. Any applicable provisions of the City's implementing ordinances.

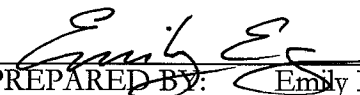
There are no specific implementing ordinances that apply to this proposed annexation. Chapter 18 of the City Code will apply to development of the property.

SECTION VII. OTHER STAFF COMMENTS

The City of Tigard Police and Public Works departments have reviewed the proposal and have no objections to it and have not indicated that the proposed annexation would reduce their capacity to provide services to the proposed annexation territory or reduce the level of City services. The City of Tigard Engineering Department reviewed the proposal and provided verbal confirmation that sewer and storm lines are available to the proposed territory.


SECTION VIII. AGENCY COMMENTS

Tualatin Valley Fire and Rescue has reviewed and endorsed the proposed annexation. Tualatin Hills Park and Recreation District, Clean Water Services, Metro, the Tigard/Tualatin School District, Metro Area Communications and the Washington County Department of Land Use and Transportation were provided the opportunity to review this proposal and submitted no objections or comments.


PREPARED BY: Emily Eng
Assistant Planner

5-25-2006

DATE


REVIEWED BY: Tom Coffee
Community Development Director

5-25-06

DATE